

DANDENONG DISTRICT CRICKET ASSOCIATION INC.

- Constitution -

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DANDENONG DISTRICT CRICKET ASSOCIATION INC.

- CONSTITUTION -

Incorporated 7th July 1988 - Reg. No. A0016326U

NAME

1 NAME

The name of the incorporated Association is Dandenong District Cricket Association Incorporated, in this Constitution called the Association.

STATEMENT OF PURPOSES

2 AIMS

The aims of the Association shall be:

- (a) The fostering, promotion and administration of the game of cricket in the spirit of true sportsmanship throughout the Dandenong and surrounding districts.
- (b) The affiliation of Clubs together and with the Victorian Metropolitan Cricket Union to promote, encourage and foster senior and junior cricket for the betterment of the community.
- (c) The fostering and promotion of friendship and community spirit through sporting and social activities.

3 AFFILIATION

The Association shall be affiliated with the Victorian Metropolitan Cricket Union.

The Committee shall appoint one member to represent the Association at each meeting of the Victorian Metropolitan Cricket Union.

INTERPRETATION

4(1) DEFINITIONS

In the Constitution, the use of the word “he” shall be interpreted as meaning “he” or “she” as appropriate, and any reference to “Committee” shall mean “The Executive Committee”.

Also, unless the contrary intention appears:

“The Executive Committee” shall comprise the Officers of the Association and those persons holding general committee positions.

“Financial Year” means the year ending on April 30.

“General Meeting” means a General Meeting of affiliated Clubs convened in accordance with this Constitution.

“Member” means a member of the Association.

“Affiliated Club” means a Club affiliated with the Association in accordance with this Constitution.

“The Act” means the Association Incorporation Act 1981.

“The Regulations” means regulations under the Act.

“Rules” means the rules of the Association as in force from time to time and determined for the good management of the Association.

4(2) SECRETARY AS PUBLIC OFFICER

In this Constitution a reference to the Secretary of the Association is a reference:

- (a) Where a person holds office under this Constitution as Secretary of the Association - to that person.
- (b) In any other case to the Public Officer of the Association.

4(3) WORDS

Words or expressions contained in the Constitution shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the Act as in force from time to time.

AFFILIATION AND MEMBERSHIP

5(1) MEMBER

A natural person who is an officer or bona fide member of a Club affiliated with the Association as provided in this Constitution is eligible to be a member of the Association provided that the Affiliated Club has been nominated and approved for membership of the Association and has paid the entrance fee and annual affiliation fee payable under this Constitution.

5(2) CLUB

A Club which is not an affiliated Club of the Association at the time of the Incorporation of the Association (or which was an affiliated Club at that time but has ceased to be an affiliated Club) shall not be admitted to affiliation:

- (a) Unless the club is nominated as per sub-clause (3) and
 - (b) The Committee approves the admission as an affiliated Club.
- All affiliated clubs must be incorporated.

5(3) NOMINATION OF CLUB

A nomination of a Club for affiliation with the Association:

- (a) Shall be made in writing.
- (b) Shall be accompanied by a copy of the Certificate of Incorporation of the nominating Club.
- (c) Shall be accompanied by a copy of the Constitution and Rules of the nominating Club.
- (d) Shall be accompanied by a list of the current officers and bona-fide members of the Club.
- (e) Shall be lodged with the Secretary of the Association.

5(4) SECRETARY REFERRAL

As soon as is practical after the receipt of a nomination, the Secretary shall refer the nomination to the Committee and circularise all club Secretaries.

5(5) COMMITTEE DETERMINATION

Upon a nomination being referred to the Committee, the Committee shall determine whether to approve or reject the nomination.

5(6) COMMITTEE APPROVAL OF CLUB

Upon a nomination being approved by the Committee, the Secretary shall, with as little delay as possible, notify the nominee in writing that the Club is approved for affiliation with the Association. The Secretary shall also request payment, within the period of 28 days after receipt of the nomination, of the sum payable under the Constitution as the entrance fee.

5(7) REGISTRATION OF CLUB

Upon payment of the entrance fee within the period referred to in sub-clause (6), the Secretary shall enter the nominee's name in the register of affiliated Clubs and the nominee's list of members in the register of members kept by the Secretary. Upon the names being so entered, the nominee becomes a Club affiliated with this Association and its officers and bona fide members become members of the Association.

5(8) RIGHTS OF MEMBERS

A right, privilege or obligation of a person or Club by reason of being a member of affiliated Club:

- (a) Is not capable of being transferred or transmitted to another person or Club.
- (b) Terminates upon the cessation of membership or Club affiliation whether by death, resignation, winding up or otherwise.

5 (9) OBLIGATIONS OF AFFILIATED CLUBS

A member club must comply with all DDCA policies and lawful directives and act in a manner which is consistent with the best interests of the DDCA.

5 (10) ORIGINAL CLUBS

At the time of incorporation, 27 Cricket Clubs and the Dandenong District Cricket Umpires Association were Clubs affiliated with this Association. These affiliated Clubs are listed in Schedule 1.

5 (11) MERGED CLUBS

Existing club seeking to affiliate as a merged entity shall conform to sub-clause (3). Upon approval by the Committee, the Secretary shall notify the Club in writing that the nomination has been approved.

5 (12) CLUB NAME CHANGES

Should an existing DDCA Club be considering a name change, then that Club should seek permission from the Committee prior to proceeding. Upon approval being obtained, the Club shall provide the Secretary with copies of the new Certificate of Incorporation and Constitution and Rules. This documentation should be finalised prior to the annual Affiliations Meeting, although the Committee may approve an extension of time.

ENTRANCE FEE AND ANNUAL AFFILIATION FEE

6(1) ENTRANCE FEE

The entrance fee for a Club seeking affiliation is \$200.00.

6(2) AFFILIATION FEE

Every affiliated Club shall be liable to pay an annual affiliation fee, the amount of which shall be decided by the Committee after the Annual General Meeting each year. The Committee will determine a fee per senior team and a fee per junior team in deciding affiliation fees. Injury Scheme payments, form part of the Affiliation fee.

6(3) PUBLIC LIABILITY INSURANCE

Each year, each club, as part of its affiliation fee shall provide a Certificate of Currency.

6(4) FEES PAYABLE

All affiliation fees and other fees and penalties imposed by the Committee in accordance with this Constitution and the rules of the Association shall become due and payable to the Association's Treasurer upon registration.

6(5) FEE GROUPS

Affiliation and other fees shall be divided in the following groups:

- (a) Affiliation fees for Cricket Clubs affiliated with the Association.

- (b) Affiliation fees for the Dandenong District Cricket Umpires Association.
- (c) Fees and penalties imposed by the Committee in accordance with this Constitution and the rules of the Association.

REGISTER OF AFFILIATED CLUBS AND MEMBERS

7(1) REGISTER OF CLUBS

The Secretary shall keep and maintain a register of affiliated Clubs in which shall be entered the full names and addresses and date of entry of each affiliated Club and its office bearers

7(2) REGISTER OF MEMBERS

The Secretary shall keep and annually maintain a register of the members of the Association as submitted annually by affiliated Clubs.

7(3) INSPECTION

The registers of affiliated Clubs and members shall be available for inspection by members at the address of the Public Officer.

MISCONDUCT OR RESIGNATION

8(1) RESIGNATION

A Club affiliated with the Association which has paid all moneys due and payable to the Association may resign from the Association by first giving notice in writing to the Secretary of intention to resign and to take effect of the upcoming season.

8(2) CESSATION OF AFFILIATION

Upon the expiration of a notice given under sub-clause (1) the Secretary shall make in the registers of members and affiliated Clubs, entries recording the date on which the affiliated Club by whom the notice was given ceased to be affiliated.

9(1) CLUB MISCONDUCT

If the Committee is of the opinion that an affiliated Club:

- (i) Has refused or neglected to comply with this Constitution, or the rules of the Association, or
- (ii) Has been guilty of conduct unbecoming an affiliated Club or prejudicial to the interests of the Association,
then subject to this Constitution, the Committee may resolve to:
 - (a) Expel the affiliated Club from the Association.

- (b) Suspend the affiliated Club from membership of the Association for a specified time, or
- (c) Fine the affiliated club in accordance with the Regulations, this Constitution, or the rules of the Association.

9(2) MEMBER MISCONDUCT

Any member, player, delegate or official of the Association infringing this Constitution, or being guilty of any dishonourable act against the Association or against any Club, member, player, delegate or official, or acting in any way or posting comments on social media. which may not be considered conducive to the interests of the Association, shall be dealt with by resolution as the Executive Committee may think fit.

9(3) IMPOSITION OF PENALTY

A resolution of the Committee under sub-clauses (1) and (2):

- (a) Does not take effect unless the Committee at a meeting held not earlier than 14 days and not later than 28 days after the service on the member or affiliated Club of a notice under sub-clause (4) confirms the resolution in accordance with this clause, and

9(4) NOTICE OF PENALTY

Where the Committee passes a resolution under sub-clauses (1) and (2), the Secretary shall, as soon as practicable, cause to be served on the member or affiliated Club a notice in writing:

- (a) Setting out the resolution of the Committee and the grounds on which it is based.
- (b) Stating that members or affiliated Clubs may address the Appeals Tribunal Committee at a meeting to be held not earlier than 14 days or later than 28 days after service of the notice.
- (c) Stating the date, place and time of that meeting.
- (d) Informing the member or affiliated Club that they may do one or more of the following:
 - (i) Attend the meeting with the Appeals Tribunal Committee.
 - (ii) Give to the Appeals Tribunal Committee before the date of that meeting a written statement seeking the revocation of the resolution.

9(5) APPEAL

Appeals against disqualification, suspension, penalty or fine passed on any affiliated Club or member under Clause 9 of this Constitution shall be made in writing to the Secretary. All such appeals must be lodged within seven days of the original findings and must be accompanied by a fee of \$500.00. All or part of this fee may be retained at the discretion of the Appeals Tribunal Committee.

9(6) APPEAL MEETING

At a meeting of the Appeals Tribunal Committee held in accordance with sub-clause (4) the Appeals Tribunal Committee shall:

- (a) Give the member or affiliated Club an opportunity to be heard.
- (b) Give due consideration to any written statement submitted by the member or affiliated Club and
- (c) By resolution determine whether to confirm or to revoke the resolution.

9(7) FURTHER APPEAL RIGHTS

Where a member or Club wishes to seek further redress the person or the Club may lodge an appeal with the VMCU.

ANNUAL GENERAL MEETING

10(1) ANNUAL GENERAL MEETING

The Association shall in each calendar year convene an Annual General Meeting of its members and affiliated Clubs.

10(2) TIMING

The Annual General Meeting shall be held on such day as the Committee determines, but no later than the last Friday in June each year.

10(3) NOTICE

The Annual General Meeting shall be specified as such in the notice convening the meeting.

10(4) ORDINARY BUSINESS

The ordinary business of the Annual General Meeting shall be:

- (a) To confirm the minutes of the preceding Annual General Meeting and of any General Meeting held since that meeting.

- (b) To receive from the Committee reports and audited financial reports upon the transactions of the Association during the preceding financial year.
- (c) To elect executive Committee members of the Association.
- (d) To receive and consider the statement submitted by the Association in accordance with Section 30(d) of the Act.
- (e) To appoint an Auditor.

10(5) SPECIAL BUSINESS

The Annual General Meeting may transact special business of which notice is given in accordance with the Constitution.

10(6) EACH YEAR

The Annual General Meeting shall be in addition to any other General Meetings that may be called in the same year.

SPECIAL GENERAL MEETING

11 SPECIAL GENERAL MEETING

All General Meetings other than the Annual General Meeting shall be called Special General Meetings.

12(1) COMMITTEE CONVENES

The Committee may whenever it thinks fit, convene a Special General Meeting of the Association and where but for this sub-clause more than 15 months would elapse between Annual General Meetings, shall convene a Special General Meeting before the expiry of that period.

12(2) REQUISITION BY MEMBERS

The Committee shall on the requisition in writing signed by Officers of three separate affiliated Clubs or signed by 100 members convene a Special General Meeting of the Association.

12(3) FORM OF REQUISITION

The requisition for a Special General Meeting shall state the objects of the meeting and shall be signed by the members or affiliated Clubs making the requisition. It shall be sent to the registered address of the Association Secretary by registered mail and may consist of several documents in a like form each signed by one or more of the members of affiliated Clubs making the requisition.

12(4) MEMBERS CONVENE

If the Committee does not cause a Special General Meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the members or any of the affiliated Clubs making the requisition may convene a Special General Meeting to be held not later than three months after that date.

12(5) MEETING PROCEDURE

A Special General Meeting convened by members or affiliated Clubs in pursuance of this Constitution shall be convened in as nearly the same manner as possible as that in which those meetings are convened by the Committee. The Association shall refund all reasonable expenses incurred in convening the meeting.

NOTICE OF MEETING

13(1) GENERAL MEETING NOTICE

At least 30 days before the date of a General Meeting, the Secretary of the Association shall send a notice to the Secretary of each affiliated Club at the address appearing in the register of affiliated Clubs. The notice shall state the place, date and time of the meeting and the nature of business to be transacted.

13(2) BUSINESS ALLOWED

No other business than that set out in the notice convening the meeting shall be transacted at the meeting.

13(3) NOTIFICATION OF BUSINESS

A member or affiliated Club desiring to bring any business before a meeting may give notice of that business in writing to the Secretary who shall include that business in the notice calling the next General Meeting after the receipt of the notices.

PROCEDURES AT MEETINGS

14(1) ORDINARY AND SPECIAL BUSINESS

All business that is transacted by a Special General Meeting and all business that is transacted at the Annual General Meeting with the exception of that specially referred to in this Constitution, as being the ordinary business of the Annual General Meeting shall be deemed to be special business.

14(2) QUORUM REQUIRED

No item of business shall be transacted at a General Meeting unless a quorum of affiliated Clubs entitled under this Constitution to vote is present during the time when the meeting is considering that item.

14(3) MEMBER ENTITLEMENTS

All members of affiliated Clubs shall be entitled to attend and speak at any General Meeting of the Association, but are not entitled to vote unless acting as a Club Delegate.

15(1) CLUB DELEGATES

Upon any question arising at a General Meeting of the Association each affiliated Club may nominate two official delegates each of who shall be a member of the Association and have one vote only.

15(2) VOTING

All delegates must vote personally and there shall be no proxy voting. Officers of the Association shall not act as Club Delegates but shall have voting rights in accordance with this Constitution.

15(3) QUORUM

One-third of the total delegates entitled to be present and vote at a General Meeting shall form a quorum for the transacting of business.

15(4) ADJOURNMENT

If within half an hour after the appointed time for the commencement of a General Meeting a quorum is not present, the meeting if convened upon the requisition of members or affiliated Clubs shall be dissolved. In any other case, the meeting shall stand adjourned to the same day, time and place in the next week, unless the Chairman specifies another place at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned. If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than five) shall be a quorum.

16(1) APPOINTED CHAIR

The President or in **their** absence a Vice-President shall preside as Chair at each General Meeting of the Association.

16(2) ELECTED CHAIR

If the President or in **their** absence **the** Vice-President are not in attendance at a General Meeting, the members shall elect one of their number to preside as Chair at the meeting.

17(1) GENERAL ADJOURNMENT

The Chairman of a General Meeting at which a quorum is present may with the consent of the meeting adjourn the meeting from time to time and from place to place. However, no business shall be transacted at an adjourned meeting other than that business left unfinished at the meeting at which the adjournment took place.

17(2) NOTICE OF ADJOURNMENT

Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of a General Meeting.

17(3) NO NOTICE

Except as provided in sub-clauses (1) and (2) it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

18 RESOLUTIONS

A question arising at a General Meeting of the Association shall be determined on a show of hands of official delegates present and unless before or on the declaration of the show of hands a poll is demanded, a declaration of the Chairman that a resolution has on a show of hands been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the Minute Book of the Association, is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

19 CASTING VOTE

In the case of an equality of voting on a question the Chairman of the meeting is entitled to exercise a second or casting vote.

20(1) POLL

If at a meeting a poll on any question is demanded by not less than three members it shall be taken at that meeting in such manner as the Chairman may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.

20(2) TIME OF POLL

A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.

21 CLUB TO BE FINANCIAL

An affiliated Club is not entitled to voting representation at any General Meeting unless all moneys due and payable to the Association have been paid.

EXECUTIVE COMMITTEE

22(1) EXECUTIVE

The affairs of the Association shall be managed by an Executive Committee constituted as provided in Clause 23.

22(2) DUTIES

The Executive Committee:

- (a) Shall control and manage the business of the Association.
- (b) May subject to this Constitution, the regulations and the Act, exercise all such powers and functions that are required by this Constitution to be exercised by General Meetings of the affiliated Clubs of the Association.
- (c) Subject to this Constitution, the regulations and the Act has power to perform all such Acts and things as appear to the Executive Committee to be essential for the proper management of the business and affairs of the Association.
- (d) May delegate specific powers, functions and tasks to individuals or committees as it sees fit.

23(1) OFFICERS

The officers of the Association shall be:

- (a) President
- (b) Vice-President
- (c) Treasurer
- (d) Secretary
- (e) **Four** General Executive Committee positions
- (f) **Up to two appointed positions pursuant to clause 23(6)**

23(2) ELECTION OF OFFICERS

The provisions of Clause 25 so far as they are applicable and with the necessary modifications shall apply to and in relation to the election of persons to any of the offices mentioned in sub-clause (1).

23(3) ELECTION OF PRESIDENT

The President of the Association shall be elected at the Annual General Meeting for a period of twelve months. At the end of this time **the President** shall retire, but may seek re-election.

23(4) ELECTION OF OFFICERS

The **Vice-President**, Treasurer, Secretary, and **four** general executive committee positions shall be elected at an Annual General Meeting for a period of 24 months with **three** of these retiring **in one year and four retiring the following year**. Retiring members have the right to seek re-election.

23(5) CASUAL VACANCY

In the event of a casual vacancy in any office referred to in sub-clause (1) the Executive Committee may appoint a member to the vacant office. The member so appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of the appointment.

23(6) GENDER EQUITY MINIMUM-ELECTED AND APPOINTED EXECUTIVE COMMITTEE

It is intended that no one gender (i.e. male or female) is to constitute less than four of the Executive Committee Members.

For the avoidance of doubt, the Executive Committee must at all times strive to equally represented by genders. Where an equitable outcome is not achieved through the normal election process the Executive Committee shall have the power to appoint up to two gender suitable persons to the Executive Committee. The member(s) so appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of the appointment. Notwithstanding the result of any subsequent election it is open to the Executive Committee to reappoint such persons for a further two year term if they so wish.

ELECTION OF OFFICERS AND VACANCIES

25(1) NOMINATION FOR EXECUTIVE COMMITTEE

Nominations of candidates for election as officers of the Executive Committee:

- (a) Shall be made in writing signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the term of nomination).
- (b) Shall be delivered to the Secretary of the Association not less than seven days before the date fixed for the holding of the Annual General Meeting.
- (c) Shall not be open to members deemed to be employees of the Association. Such members may sit on committees if directed by the Executive Committee, but shall not have voting rights.

25(2) INSUFFICIENT NOMINATIONS

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

25(3) SUFFICIENT NOMINATION

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

25(4) EXCESS NOMINATIONS

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

25(5) BALLOT

The ballot for the election of executive committee members of the Committee of the Association shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.

26 AUTOMATIC VACANCY

For the purpose of this Constitution the office of an officer of the Executive Committee becomes vacant if the officer or member:

- (a) Ceases to be a member of the Association.
- (b) Becomes bankrupt.
- (c) Resigns **their** office by notice in writing to the Secretary.

PROCEEDINGS OF EXECUTIVE COMMITTEE

27(1) COMMITTEE MEETINGS

The Executive Committee shall meet at least once monthly or at any other times that it is necessary to conduct the business of the Association. The Secretary may call an emergency meeting of the Executive Committee at any time with three day's notice in writing to be given to members.

27(2) SPECIAL MEETINGS

Special Meetings of the Committee may be convened by the President or by any four Committee members.

27(3) NOTICE

Notice shall be given to members of the Committee of any Special Meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.

27(4) QUORUM

Any five members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

27(5) ADJOURNMENT

No business shall be transacted unless a quorum is present. If within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place, time and day in the following week unless the meeting was a Special Meeting in which case it lapses.

27(6) CHAIR

At a meeting of the Committee:

- (a) The President or in **their** absence **the** Vice-President shall preside.
- (b) If the President **or the** Vice-President are absent, one of the remaining members of the Committee may be chosen by the members present, to preside.

27(7) VOTING AT COMMITTEE

Questions arising at a meeting of the Committee or of any Sub-Committee appointed by the Committee shall be determined on a show of hands or if demanded by a member, by poll taken in such manner as the person presiding at the meeting may determine.

27(8) CASTING VOTE

- (a) Each member present at a meeting of the Executive Committee or of any Sub-Committee appointed by the Executive Committee (including the person presiding at the meeting) is entitled to one vote. In the event of an equality of votes on any question the person presiding may exercise a second or casting vote.
- (b) An Executive member, who is a member of a disputant club, shall not be present whilst the Executive Committee considers the matter and makes its decision

27(9) NOTICE OF COMMITTEE MEETING

Written notice of each Committee Meeting shall be served on each member of the Committee by delivering it to **them** at a reasonable time before the meeting or by sending it by prepaid post or electronically addressed **to them at their** usual address or last known place of abode at least two business days before the date of the meeting.

27(10) COMMITTEE VACANCY

Subject to sub-clause (4) the Committee may act notwithstanding any vacancy on the committee.

27(11) RULE ENFORCEMENT

The Executive Committee is responsible for the strict enforcement of this Constitution and all rules of the Association. They act as arbiters in any unforeseen and not provided for case.

27(12) DISQUALIFICATION BY COMMITTEE

The Executive Committee has the right under Clause 9 of this Constitution to disqualify any player, member or Club whose actions are deemed to be antagonistic to the adopted principles of the Association.

27(13) REFERRAL BY COMMITTEE – Deleted June 2021

27(14) PRESENCE IN COMMITTEE

No person, except members of the Committee, shall be entitled to be present at its meeting without the permission from or by invitation from the Chairman.

27(15) ABSENCE FROM COMMITTEE

If any member of the Executive Committee be absent without apology from two consecutive meetings, **they shall relinquish their office.**

OFFICE BEARERS

28 PRESIDENT

The President of the Association shall be responsible for the proper management of the Association in accordance with this Constitution. The President of the Association is also Chair of the Executive Committee. At all meetings of the Association **the President** shall have a vote and in the case of a tie, **the President** shall have a second or casting vote. **The President** shall be an ex-officio member of all Committees. The Chair may rule that certain contentious matters concerning only a particular section shall be discussed by all delegates but only voted on by the section concerned.

29 VICE-PRESIDENT

The Vice-President shall have all the rights of an Executive Committee Member. In the absence of the Chair, **the Vice-President** shall preside at all meetings of the Association.

30(1) SECRETARY

The Secretary of the Association shall act in accordance with this Constitution and the directives of the Executive Committee. The Secretary shall keep minutes of all meetings, which shall be confirmed at the next meeting of like nature. **The Secretary** shall be an ex-officio member of all Committees. **They** shall have all the rights of an Executive Committee Member.

30(2) PUBLIC OFFICER

The Secretary shall be the Public Officer of the Association in accordance with the Act.

30(3) MINUTES

The Secretary shall maintain minutes of the resolutions and proceedings of each General Meeting, each Executive Committee Meeting and each Sub Committee meeting in books provided for that purpose with a record of the names of persons present at Executive Committee meetings.

31 ASSISTANT SECRETARY – Deleted April 2024

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32(1) TREASURER

The Treasurer shall have all the rights of an Executive Committee Member. **The Treasurer** shall receive and pay out all moneys authorised by the Association, keep proper financial records and present a balance sheet and financial statements at the Annual General Meeting. **The Treasurer** shall bank all moneys received and withdrawals shall only be made with the approval of the and under the signature/ authorisation of any two authorised officers of the Association.

32(2) INSPECTION OF RECORDS

The accounts and books referred to in sub-clause (1) shall be available for inspection by members at reasonable times and by appointment.

32(3) AUDITOR

An Auditor shall be appointed at the Annual General Meeting each year and shall audit the books of account of the Association annually in accordance with standard business practice.

32(4) OFFICE BEARERS

No member of the Executive Committee may act as a delegate for any club or member thereof.

33(1) REMOVAL OF COMMITTEE

The Association in General Meeting may **by** resolution remove any member of the Committee before the expiration of **their** term of office and appoint another member in **their** stead to hold office until the expiration of the term of the first mentioned member. The Committee member shall be notified of proceedings against **them** in advance and shall have the right to be heard.

33(2) NOTICE RE REMOVAL

Where the member to whom a proposed resolution referred to in sub-clause (1) makes representations (not exceeding a reasonable length) to the Secretary or the President of the Association, and requests that they be notified to the members of the Association, the Secretary or President may send a copy of the representations to each affiliated Club. If they are not so sent, the member may require that they be read out at the meeting.

ADMINISTRATION

34 FINANCIAL TRANSACTIONS

All financial payments must be authorised or transacted by two designated officers of the Association. Credit cards, to a limit of \$500, may be issued to the President, Secretary and Treasurer for the exclusive purpose of satisfying authorised DDCA expenditure.

35(1) SEAL CUSTODY

The Common Seal of the Association shall be kept in the custody of the Secretary.

35(2) SEAL FIXING

The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the signatures of two officers of the Association shall attest the affixing of the Common Seal.

36(1) ALTERATION OF CONSTITUTION AND PURPOSES

This Constitution and the statement of purposes of the Association shall not be altered except in accordance with the Act.

36(2) ALTERATION OF CONSTITUTION AND RULES

No clause of this Constitution, statement of purposes or any rule of the Association shall be amended or rescinded without concurrence of a two-thirds majority at the Annual General Meeting or at a Special General Meeting called for that purpose. Such Special General Meeting shall be called by the Secretary upon direction of the Rules and Permits Committee or a two-thirds majority of those present at an Executive Meeting where notice of motion for the alteration of the Constitution or rules has been given. If alterations are proposed for the Annual General Meeting, notice of motion must be given in writing to the Secretary at least thirty days before the date of that meeting to give the Rules and Permits Committee the opportunity to consider the proposed changes and make its recommendations.

36(3) BY-LAWS

Should it be deemed necessary by the Executive Committee, by-laws may be enacted to meet any matter or urgency (not provided for in the rules), such additions to be ratified by a simple majority at the next Annual General Meeting or Special Meeting of the Association called to consider them.

37(1) NOTICES

A notice may be served by or on behalf of the Association upon any member or affiliated Club either personally or by sending it by post or electronically to the member or affiliated Club at the address shown in the register of members and affiliated Clubs.

37(2) NOTICE BY POST

Where a document is properly addressed, prepaid and posted to a person as a letter or electronically, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

38(1) DISBANDING

This Association shall not disband without a two-thirds majority at a Special General Meeting called for that purpose. In the event of the Association being disbanded, the assets and property, after the payment of all just debts and liabilities, shall not be distributed to members or affiliated Clubs but shall be distributed to a fund or funds within Dandenong and district with similar objects and/or to a fund or funds exclusively for charitable purposes.

38(2) WINDING UP

In the event of the winding up or cancellation of the incorporation as outlined in sub-clause (1), the assets of the Association shall be disposed of in accordance with the provisions of the Act.

39 CUSTODY OF RECORDS

Except as otherwise provided in this Constitution the Secretary shall keep in **their** custody or under **their** control all books, documents and securities of the Association.

40(1) FUNDS

The funds of the Association shall be derived from entrance fees, annual affiliation fees, sponsorships, donations and other such sources as the Committee determines.

40(2) INCOME AND PROPERTY

The income and property of the Association shall be applied solely towards the promotion of its objectives.

40(3) HONORARIUMS

Honorariums or other payments made to Executive Committee members shall be determined through the annual budget process and may be paid to any member of the Executive Committee, upon the resolution of the Executive Committee. Honorariums will be audited and reported in the annual financial statements.

41 INSIGNIA

The Association insignia and monogram as detailed in Schedule 2 is the official insignia of the Association and may be used at the direction of the Committee.

42 COLOURS

The Association colours shall be red and royal blue and may be used in the style specified in Schedule 2 at the direction of the Committee.

SUB-COMMITTEES

43 SCOPE

The following Sub-Committees, whose duties are specified in this Constitution, shall assist the Executive Committee in the management of the Association:

- (a) Board of Management
- (b) Junior Committee
- (c) Rules and Permits Committee
- (d) Match Committee
- (e) Selection Committee
- (f) Appeals Tribunal Committee

44 BOARD OF MANAGEMENT

The Board of Management shall consist of the Executive Committee together with two nominated members of each affiliated Club represented in the Association. The names of each Club's Board Members shall be notified to the Association at the Affiliation Meeting each year.

The Board shall be responsible for the promulgation of and advice and feedback on policy decisions made by the Executive Committee. Board Members shall also have the responsibility of informing their Clubs Executive Committee of decisions reached, although these will also be communicated by the Secretary of the Association to each club Secretary.

If a Club is not represented at a Board Meeting and a written apology is not received nor the Secretary notified by word of mouth prior to the meeting, a fine of \$20.00 shall be imposed on the Club.

If not represented at any subsequent Board Meeting during the season, it shall be fined \$50.00 for each of these further offences.

45 JUNIOR BOARD OF MANAGEMENT – Deleted August 1990

46 JUNIOR COMMITTEE

The Junior Committee shall consist of an Executive Committee Member as Chair, and other members appointed by the Executive Committee. The Junior Committee is responsible to the Executive Committee for the efficient operation of the Junior Section.

47 RULES AND PERMITS COMMITTEE

The Rules and Permits Committee shall consist of the Vice- President as Chair and other members appointed by the Executive Committee. Its duties shall be to:

- (a) Examine revisions to the Constitution and Rules pertinent to the Association proposed by Officers, members or Clubs.
- (b) Make recommendations for consideration at the Annual Meeting or a Special Meeting called for that purpose.
- (c) Hear and deal with appeals of denied clearances, permits, disputes, protests, breach of Rules or interpretation of such matters, relevant to the cricket operations as referred by the Executive Committee.

48 JUNIOR RULES AND PERMITS COMMITTEE – Deleted April 2024

49 MATCH COMMITTEE

The Match Committee shall consist of an Executive Committee member as Chair and other members appointed by the Executive Committee. It shall be the responsibility of the Committee to:

- (a) Recommend to the Executive Committee a program of matches for the season.
- (b) Report to the Executive Committee on the condition and upkeep of grounds.
- (c) Appoint a Weather Conditions Sub-Committee, which shall meet and decide on the fitness of grounds when weather conditions warrant it.

50 SELECTION COMMITTEE

The Selection Committee shall consist of members appointed by the Executive Committee. It shall be responsible to the Match Committee for the selection of all representative teams.

51 APPEALS TRIBUNAL COMMITTEE

A Tribunal panel of up to twelve members shall be appointed by the Executive Committee and any three of these members shall constitute a Appeals Tribunal Committee The responsibilities of the Appeals Tribunal Committee shall be to hear and deal with all appeals as coordinated by the Secretary.

52 INSURANCE COMMITTEE – Deleted August 2006

53 CONDUCT OF MEETINGS

Meetings shall all be conducted in accordance with the accepted procedure of meetings of a similar character.

ALTERATION, RESCISSION OR DISSENSION

54 RESCISSION

To alter or rescind any resolution, seven day's notice must be given by the member proposing the alteration or rescission unless the motion to alter or rescind be carried by a two-thirds majority of the members at a like meeting at which the resolution has been passed, providing the mover of the original motion is present at the meeting.

55 DISSENSION

Any decision or ruling of the Chairman may be dissented from and over-ruled by a majority of the members present, but the motion of dissent from the Chairman's ruling shall not be spoken to except by the dissenter, whose remarks must be confined to a period of five minutes and by the Chairman.

CLUB ELIGIBILITY AND ATTENDANCE AT BOARD MEETINGS

56(1) NO SENIOR TEAM

Each affiliated Club shall be entitled to two delegates at Board of Management Meetings with each delegate entitled to one vote as per Clause 15(1). In the event of a Club having junior teams but no senior teams, they shall be entitled to two delegates of their own.

56(2) ABSENCE FROM MEETINGS – Deleted August 1989

56(3) APOLOGIES

A written apology received and accepted before the close of the meeting shall be regarded as attendance at the meeting.

56(4) FURTHER PENALTY

The Secretary will notify clubs concerned of all fines for non-attendance. If a further or continued breach of the rule occurs, the Association will deal with such Club and any Club may have its team or teams disqualified.

LIFE MEMBERS AND PATRONS

57 LIFE MEMBERS

The Association shall have the power to elect not more than one Life Member a year. Such membership shall be awarded to those who have rendered special service to the Association.

Nominations must be made to the Secretary of the Association in writing, prior to the 31st of January each year, giving a full outline of service and indicating at least ten years' service to the Association.

The nominations shall be considered by a Sub-committee, consisting of up to four present Life Members, appointed by the Executive Committee.

The Sub-committee shall recommend one nomination to the Executive Committee and, if approved, the Life Membership shall be awarded at the Annual Presentation Night or other suitable function.

Life Members shall have the right to attend Board of Management, Special and Annual General Meetings, entering discussions and shall be entitled to a vote.

58 PATRONS

Patrons shall have the privilege of attending Annual and General Meetings and entering discussion, but shall not have a vote. They shall be elected at the Annual General Meeting.

ANNUAL ADMINISTRATIVE MEETINGS

59 AFFILIATION MEETING

An Affiliation Meeting shall be held each year not later than the second Friday in August when all Clubs shall make written submissions of team entries together with the grounds on which these teams will play. No club shall enter a team for which a ground is not provided.

60 CAPTAINS, COACHES AND UMPIRES MEETING

If deemed necessary, all Senior Captains and Senior and Junior Coaches or appointed representatives must attend a meeting with the Executive Committee and the Umpires Association. The Meeting shall be held no later than the 31st of October in each year. Penalty for non-attendance is \$20.00 per team.

DDCA ORDER OF MERIT AWARD

61 DDCA ORDER OF MERIT AWARD

A DDCA Order of Merit Award may be bestowed on any person for distinguished achievements in the game of cricket, both within and outside the Association. Nominations must be made to the Secretary prior to the 31st of January each year and should include full details of the nominee's accomplishments. Awards approved by the Committee shall be presented at the Annual Presentation Night **or other suitable function.**

GOVERNMENT LEGISLATION

62 GOVERNMENT LEGISLATION

It is mandatory that all members defined under this Constitution (players, volunteers, executive members, officials and supporters) comply with the requirements of all relevant state and federal acts of parliament as applicable to sporting organisations. This includes, but is not limited to, those acts pertaining to Working with Children (WWC) Checks.

DDCA HALL OF FAME

63 DDCA HALL OF FAME

The DDCA Hall of Fame may be bestowed to those cricketers, administrators and umpires within the DDCA who over time have delivered a high level of excellence in their field of endeavour. Nominations must be made to the Secretary prior to the 11th February each year in accordance with the Nomination Form guidelines.

SCHEDULE 1 - LIST OF AFFILIATED CLUBS AT TIME OF INCORPORATION

Berwick Cricket Club
Buckley Ridges - Dandenong East Cricket Club
Chandler Cricket Club
Coomoora Cricket Club
Cranbourne Cricket Club
Dandenong Cricket Club
Dandenong West Cricket Club
Doveton Cricket Club
Doveton Juniors Cricket Club
Doveton North Cricket Club
Endeavour Hills Cricket Club
Fountain Gate Cricket Club
Hallam Cricket Club
Heinz Southern Districts Cricket Club
Lyndale Cricket Club
Maranatha Cricket Club
Methodist Cricket Club
Nissan Cricket Club
North Dandenong Cricket Club
Parkfield Cricket Club
Parkmore Cricket Club
Silverton Cricket Club
Skye Cricket Club
Springvale South Cricket Club
South Waverley Cricket Club
St. Mary's Cricket Club
Tip Top Cricket Club
Dandenong District Cricket Umpires Association

SCHEDULE 2 - DETAILS OF THE INSIGNIA AND COLOUR SCHEME OF THE DANDENONG DISTRICT CRICKET ASSOCIATION INCORPORATED

Details are available upon request from the Secretary.

Note: In this constitution headings and sub-headings appear as a guide only and should not be interpreted as part of the Constitution.

First Printing September 1988