

NEWCASTLE JUNIOR CRICKET **ASSOCIATION INC.**

STATEMENT OF OBJECTS

To promote, control, govern and manage junior cricket in the Newcastle, Lake Macquarie and Port Stephens region.

To increase the number of juniors who are playing cricket, to improve the skills of all players and to produce players capable of playing at a higher level.

To administer the policies and directives of the State and National Governing Bodies and co-operate with affiliated local associations for the advancement of Cricket in our region



NEWCASTLE JUNIOR CRICKET ASSOCIATION INC

RULES

PART 1 - PRELIMINARY

Interpretation

1. (1) In these rules, except in so far as the context or subject matter otherwise indicates or requires:

The Act means the Associations Incorporations Act, 1984.

Administrative Regulations means the regulations and measures and the prescription of forms and procedures made by the committee pursuant to these rules.

Affiliated Organisation means a cricket organisation, not being an affiliated club, granted affiliation with the association pursuant to these rules.

Affiliates means the affiliated clubs and other cricket organisations granted affiliation with the association pursuant to these rules.

Association means the Newcastle Junior Cricket Association Inc., incorporated under the Act.

Affiliated Clubs or *Clubs* means any cricket club granted affiliation with the association and entitled to have its members admitted to membership of the association and to enter cricket teams in cricket competitions played under the jurisdiction of the association, subject to these rules and the administrative regulations of the association.

Newcastle Junior Cricket means cricket matches and competitions played under the control and jurisdiction of the association.

Delegate Member means a member of the association pursuant to Rule 2 (1) (b) & (c).

Executive Member means an individual who is an office bearer of the association or an ordinary member of the committee.

Full Member means a member of the association who is entitled under these rules to receive notice of, attend and vote at a meeting of the association.

Life Member means an individual who is admitted, under these rules, to life membership of the association.

Nominee Member of the Committee means the person nominated by an Affiliated Organisation to represent them on the committee but who otherwise shall have the same rights and duties as the other members of the committee

Ordinary Member means a member of the committee who is not an office bearer of the association, as referred to in Rule 14 (1) (b).

Player Member means an individual who is registered with the association by a club to play junior cricket.

The Regulation means the Associations Incorporation Regulation, 1985

Rules means the rules of the association for the time being in force.

Secretary means the person holding office under these rules as secretary of the association, or where no such person holds that office, the public officer of the association.

Special General Meeting means a general meeting of the association other than an annual general meeting.

- (2) The affiliation of a club or organisation with the association and the grant by the association to a club or organisation of admission of delegates as members of the association shall constitute an acknowledgement and recognition by the club or organisation of the exclusive control of and jurisdiction over Newcastle Junior Cricket by the association, and that these rules and the administrative regulations of the association shall bind the club and organisation as if they were a member of the association, and an acknowledgement to refer all protests, claims and disputes between the association and the clubs and organisations and between each other to the committee for hearing and determination pursuant to these rules and the administrative regulations of the association.

- (3) The provisions of the Interpretation Act, 1987 apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

NEWCASTLE JUNIOR CRICKET ASSOCIATION INC

RULES

PART II - MEMBERSHIP

Types of Membership

2. (1) The association shall consist of members as follows:
 - (a) executive members;
 - (b) two delegates nominated annually by each affiliated club;
 - (c) one delegate nominated annually by each affiliated organisation;
 - (d) player members;
 - (e) life members.
- (2) Each delegate member shall be appointed annually by his or her affiliated club or affiliated organisation, and shall hold membership from the commencement of the next ensuing annual general meeting until the commencement of the annual general meeting of the association held in the year next following. No delegates shall have the right of voting or privilege of taking part in any question arising in the association unless a notification of his or her appointment, signed by the secretary of the affiliated club or organisation which he or she represents, shall previously have been received by the secretary of the association.

Admission to Membership and Affiliation.

3. (a) New delegates of new affiliated clubs or organisations:
 - (i) Any club or organisation seeking affiliation with the association shall make application in writing in a form determined by the committee and shall lodge the same with the secretary of the committee.
 - (ii) The application shall be submitted to a general meeting of the committee for approval. If the nomination is approved, the committee shall have the right to attach such conditions to the affiliation as may be provided for in the administrative regulations of the association provided that no such condition or conditions contravene the provisions of the Act or the regulations or these rules.
 - (iii) Where the committee determines to approve a nomination for affiliation, the secretary shall, as soon as practicable after that determination, notify the nominee of the approval.
 - (iv) Upon the granting of affiliation, the new club or organisation shall thereupon be entitled to nominate, in the case of a club, two delegates, and in the case of an organisation, one delegate, as members of the association and the secretary of the association shall on the receipt of the nomination enter the delegates name(s) in the register of members.
 - (v) Neither the committee nor the association shall be required to give any reason or explanation for rejecting any application for affiliation.

(b) Executive Membership

An individual, upon his or her election taking effect as an office bearer or ordinary member of the committee, shall thereby be admitted to executive membership.

(c) **Player Membership**

- (i) An application for player membership of the association shall be made annually in the form and manner determined by the association and shall be lodged with the association by the player's club.
- (ii) a player shall be ineligible to play for an affiliated club unless such player is currently registered with the association.
- (iii) A player who does not renew his registration shall be deemed to have resigned
- (iv) The committee and association may decline to accept the annual registration of a player and shall not be obliged to give any reason or explanation for rejecting any application for registration.

(d) **Life Membership**

- (i) The committee may in its absolute discretion nominate for life membership any person considered by it to have rendered exceptional or outstanding service to the association irrespective of whether such person is or has been an office bearer of or delegate to the association or not.
- (ii) The name of the nominee shall be submitted to an annual general meeting of the association and shall be elected by a resolution carried by a three fourths majority of members present and voting at such meeting.

Cessation of Membership

4. (1) Delegate Members

- (i) A delegate member ceases to be a member of the association if the member:
 - (a) dies;
 - (b) resigns that membership;
 - (c) is expelled from the association;
 - (d) ceases to be the delegate of the club or organisation which nominated him or her;
 - (e) fails to attend without leave three consecutive meetings of the association .
- (ii) A member shall cease to be a delegate member if that person becomes an executive member, *provided that*
 - (a) cessation of membership under rule 4 (1) (b) or (c) or (d) or (e) shall not be effective until the relevant club or organisation nominates another delegate in his or her place for the balance of the year, and
 - (b) In the event of the death of a delegate his or her club or organisation shall within 28 days thereof nominate another delegate as a member of the association for the rest of the year.

(2) Executive Member

- (1)** An executive member ceases to be a member of the association if that persons ceases to hold office under these rules as an office bearer or as an ordinary member of the committee.
- (2)** A member shall cease to be an executive member if that member becomes a delegate member.
- (3)** An executive member ceases to be a member of the association if the member fails to attend without leave three consecutive meetings of the association.

(3) Life Member

A life member of the association ceases to be a member of the association if the person:

- (a) dies;
- (b) resigns that membership;
- (c) is expelled for the association.

(4) Player Member

A player member ceases to be a member of the association if the player:

- (a) dies;
- (b) resigns that membership;
- (c) is expelled for the association;
- (d) if the club with which the player is registered disaffiliates from the association or its affiliation with the association is terminated or suspended.

Membership Entitlements Not Transferable.

- 5. A right privilege or obligation which a person has by reason of being a member of the association:
 - (a) is not capable of being transferred or transmitted to another person, and
 - (b) terminates upon cessation of the persons membership.

Resignation of Membership

- 6. (1) Subject to rule 3 (c) (iii), a member of the association is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the association who has paid all amounts (if any) payable by the member to the association in respect of the members membership may resign from the membership of the association by first giving notice in writing, to the secretary, of the members intention to resign. Upon receipt of the notice the member ceases to be a member.
- (3) Where a member of the association ceases to be a member pursuant to clause 2 and in every other case where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

Register of Members

- 7. (1) The secretary of the association shall establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date on which the person became a member.
- (2) The secretary shall establish and maintain a register of affiliates and record therein the name and address of the secretary of each affiliate.
- (3) The register of members shall be kept at the principal place of administration of the association and shall be open for inspection, free of charge, by any member of the association at any reasonable hour.

Fees, Subscriptions etc.

- 8. (1) No member shall be required to pay any joining fees on admission to the association.
- (2) Executive members and delegate members shall not be required to pay an annual subscription.
- (3) A club shall pay the association an annual registration fee in respect to player members registered by it. The registration fee shall be determined by the committee

Members Liabilities

9. The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to an amount of \$1.00 and every person who becomes a member of the association is deemed to have undertaken to pay such amount, if so required, in the event that the association is wound up while he or she is a member or within a period of one year after ceasing to be a member thereof.

Expulsion from the Association, Suspension from Membership and other Disciplinary Measures

10. (1) When the committee is of the opinion that a member of the association (*not being a player member - a reference to a member in this rule and Rule 11 shall not be a reference to a player member*) :
 - (i) has persistently refused or neglected to comply with a provision or provisions of these rules; or
 - (ii) has persistently and wilfully acted in a manner prejudicial to the interests of the association;the committee may, by resolution -
 - (a) issue a warning or reprimand to the member; or
 - (b) impose a monetary penalty on the member; or
 - (c) expel the member from the association; or
 - (d) suspend the member from membership of the association for a specified period
- (2) Where the committee passes a resolution under clause (1), the secretary shall, within 7 days, cause a notice in writing to be served on the member:
 - (a) setting out the resolution of the committee and the grounds on which it is based;
 - (b) advising that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after the service of the notice.
 - (c) stating the date, time and place of the meeting.
 - (d) informing the member that the member may submit to the committee, at or prior to the date of that meeting, written representations relating to the resolution.
- (3) At the meeting of the committee held as referred to in clause (2), the committee shall:
 - (a) give the member an opportunity to make oral representations;
 - (b) give due consideration to any written representations submitted to the committee by the member at or prior to the meeting; and
 - (c) by resolution determine whether to confirm or to revoke the resolution.
- (4) Where the committee confirms a resolution under clause (3), the secretary shall within 7 days, inform the member in writing of the fact and advise of the members right of appeal under Rule 11.
- (5) A resolution confirmed by the committee under clause (3) does not take effect until:
 - (a) the association confirms the resolution pursuant to Rule 11 (4); or
 - (b) the expiration of 7 days where the member does not exercise the right of appeal.

Right of Appeal

11. (1) A member may appeal to the association in general meeting against a resolution of the committee which is confirmed under Rule 10 (3) within 7 days after notice of resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) Upon receipt of a notice from a member under clause (1), the secretary shall notify the committee which shall convene a general meeting of the association to be held within 60 days after the date on which the secretary received the notice.
- (3) At the general meeting of the association convened under clause (2) -
 - (a) no business other than the question of appeal shall be transacted;
 - (b) the committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both: and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution would be confirmed or revoked.
- (4) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

Application of Certain Rules to and Special Provisions Relative to Affiliated Clubs and Affiliated Organisations

12. (1) The following rules shall apply mutatis and mutandis to affiliated clubs and organisations.
 - (i) Rule 6 - resignation of affiliation *provided that* the club shall pay to the association any amount outstanding in respect to player registration fees and any other monies due and payable by it to the association.
 - (ii) Rules 10 and 11 - termination and suspension of affiliation.
- (2) The failure of an affiliated club or an affiliated organisation to appoint delegate members in accordance with the provision of these rules shall be deemed to be conduct prejudicial to the interest of the association within the meaning of Rule 10.
- (3) The affiliation of an affiliated club or an affiliated organisation shall cease;
 - (i) if it resigns;
 - (ii) if the affiliation is terminated;
 - (iii) if being an incorporated body it is wound up or, being an unincorporated body, becomes (in the opinion of the committee) defunct, disbanded or dissolved;

NEWCASTLE JUNIOR CRICKET ASSOCIATION INC

RULES

PART III - COMMITTEES

SECTION A - MANAGEMENT COMMITTEES

Powers etc. of the Committee

- 13.** The committee shall be called the committee of management of the association and, subject to the Act, the Regulation and these rules and to any resolution passed by the association in general meeting -
- (a) shall control and manage the affairs and competitions of the association;
 - (b) may exercise all such functions as may be exercised by the association other than those functions that are required by the Act, the regulation or these rules to be exercised by a general meeting of the members of the association;
 - (c) may make such administrative regulations not inconsistent with the Act, the regulation or with these rules as in the opinion of the committee are necessary or desirable for the proper control, administration and management of the association's finance, affairs, interests, property and activities, including without limiting the generality thereof the specification of the powers, duties and responsibilities of the office bearers, other offices or delegated positions, selection policies, practice, the use of the association's grounds, gear and facilities and may amend and rescind from time to time any such administrative regulation **provided that** 14 days notice in writing of any amendment or rescission shall be given to the secretary of each affiliated club or organisation.
 - (d) has 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 association.
- 14. (1)** The committee shall consist of -
- (a) the office bearers of the association, as per 14. (2); and
 - (b) 9 ordinary members, who shall stand for election for one of the designated positions as per 14. (3);
such persons referred to in sub paragraphs (a) and (b) shall be elected pursuant to Rule 15 at the annual general meeting of the association.
 - (c) The nominee members who shall hold office until the annual general meeting of the association after which each of the nominators shall nominate their representative for the ensuing year. If for any reason a nominee member ceases to be a member of the committee, the nominator of such person shall within 14 days, nominate another person to be its representative on the committee.
- (2)** The office bearers of the association shall be -
- (a) the president;
 - (b) the vice president;
 - (c) the secretary;
 - (d) the treasurer

- (3) Each ordinary member shall take on the role of coordinator of one of the divisions of the association, as advised by the committee of management prior to each Annual General Meeting
- (4) Each member of the committee who is an office bearer or an ordinary member shall subject to these rules, hold office until the conclusion of the annual general meeting following the date of the members election but is eligible for re-election, subject to the provisions of Rule 15.
- (5) In the event of a casual vacancy occurring on the committee or of an elected position, the committee may appoint another person to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting following the date of the appointment.
- (6) Not more than 3 members of the committee shall be members of the same club.
- (7) There shall be an Executive Committee which shall consist of the president, secretary and treasurer . The Executive Committee may make urgent decisions for the association and transact the day to day business of the association but shall report to the committee thereon at the next meeting of the committee.

Election of Members of the Committee

15. (1) Nominations of candidates (who need not be members of the association or of an affiliated club or organisation) for election as office bearers of the association or as ordinary members of the committee -
 - (a) shall be made in writing and signed by two full members and by the candidate; and
 - (b) shall be delivered to the secretary of the association not less than 14 days before the date of the annual general meeting.
- (2) Subject to Rule 14 (5), if the number of nominations received is equal to the number of vacancies to be filled, or if insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting if so required.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed to be casual vacancies.
- (4) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held. The ballot for the election of office bearers and ordinary members of the committee shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

Duties and Functions of Officials

16. (a) Secretary

- (1) The secretary of the association shall, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the secretary to keep minutes of -
 - (a) all appointments of office bearers and members of the committee;
 - (b) the names of members of the committee present at a committee meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.

For the purpose of this rule, *committee meetings* includes meetings of all Committees. Where the association secretary is not the secretary of an appointed Committee he shall obtain a copy of the minutes of the proceedings of the Committee from the person appointed as secretary of the committee.

- (3) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

(b) Treasurer

It is the duty of the treasurer of the association to ensure that -

- (i) all money due to the association is collected and received and that all payments authorized by the association are made;
- (ii) correct books and accounts are kept showing the financial affairs of the association including full detail of all receipts and expenditure connected with the activities of the association.

(c) Duties of Certain Other Officials

The committee shall determine the duties and functions of any other official to whom the committee may delegate specified functions, including the duties of the ordinary members elected pursuant to 14. (1) (b) and 14. (3);

Casual Vacancies

17. For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member -
 - (a) dies;
 - (b) ceases to be a member of the association;
 - (c) becomes an insolvent under administration with the meaning of the Companies (New South Wales) Code;
 - (d) resigns office by notice in writing given to the secretary;
 - (e) is removed from office under Rule 18 herein;
 - (f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
 - (g) is absent without the consent of the committee from 2 consecutive meetings of the committee; or
 - (h) being a nominee member, the nominator of such member revokes the nomination.

Removal of a Member of the Committee

18. The association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

Meetings and Quorum

19. (1) Meetings of the committee shall be held at such times and intervals as the committee shall decide. Meetings shall be convened by the secretary or, in his absence, by the president.
- (2) The secretary shall, upon receiving a request in writing signed by 3 members of the committee, convene a special meeting of the committee. However, no such special meeting of the committee will be convened unless the requisition from the 3 members sets out, in writing, the purpose for which the special meeting is to be held.
- (3) Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under clause 3 shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting.
- (5) 50% plus 1 of the total number of members of the committee constitute a quorum for the transaction of business of the meeting of a committee.
- (6) No business shall be transacted by the committee unless a quorum is present and, if within half an hour of the time appointed for the meeting, a quorum is not present the meeting stands adjourned. If a quorum is again not present with half an hour of the appointed time of the adjourned meeting, the meeting shall be dissolved.
- (7) At a meeting of the committee -
 - (a) the president or, in his absence, the vice president shall preside: or
 - (b) if the president and vice president are both absent or unwilling to act, one of the remaining members of the committee as chosen by the members present at the meeting shall preside.
- (8) No member of the committee shall vote on any matter directly concerning the interests of a club of which he or she is a member.

Delegation by Committee to Sub Committee.

20. (1) The committee may, by instrument in writing, delegate to a committee member or sub-committee (consisting of such member or members of the association or such other persons as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument other than -
 - (a) this power of delegation; and
 - (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function, the exercise of which has been delegated to committee member or sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the committee member or sub-committee subject to such conditions or limitations as may be specified in the instrument of delegation.
- (3) Notwithstanding any delegation under this rule the committee may continue to exercise any function delegated.
- (4) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- (5) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.

Voting and Decisions

21. (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee shall be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or sub-committee is entitled to one vote but, in the event of an equality of votes on any question the person presiding may exercise a casting vote.
- (3) Subject to Rule 19 (4), the committee may act notwithstanding any vacancy on the committee.
- (4) Any act or thing done or suffered by the committee or a sub-committee is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

NEWCASTLE JUNIOR CRICKET ASSOCIATION INC

RULES

PART III - COMMITTEES

SECTION B - APPOINTED COMMITTEES

A reference in this Section B to the *committee* means a reference to the *Committee of Management* established under Rule 13.

- 22.** The management committee shall appoint the following committees as and when required:
- (1) (a) The Permits and Grading Committee of 3 members, one of whom shall be the Results and Statistics Manager;
 - (b) The Protest, Disputes and Judiciary Committee of 3 members;
 - (c) The Appeals Committee of 3 members being office bearers who are not members of the Protest, Disputes and Judiciary Committee.
- (2) The Results and Statistics Manager shall act as secretary of the Permits and Grading Committee. The committee shall appoint a secretary for each of the other committees.
- (3) The members of the Appointed Committees and their proxies shall be appointed by the committee which shall elect the chairperson of each Committee.
Subject to sub clause 10, a Standing Committee shall regulate its own procedures.
- (4) Each member of the Appointed Committees shall have one vote provided that in an equality of votes, the chairperson shall have a second or casting vote.
- (5) A quorum for all Appointed Committees shall be 3 members.
- (6) Votes at Appointed Committees shall be given personally and members of the Committee shall not be entitled to appoint a proxy.
- (7) All Appointed Committees shall report to the committee of management. No member of an Appointed Committee, including the chairperson, shall have any right to publish in any manner the decisions of the relevant committee, which shall be notified to the secretary of the association who alone shall have the right to publish, in a manner determined by the committee, a decision of the relevant Committee.
- (8) The powers and functions of the Appointed Committees are as follows:
- (a) *Permits and Grading Committee*
 - (i) To consider all applications for permits of players to participate in Newcastle Junior Cricket.
 - (ii) To adjudicate on all applications for re grades.
 - (iii) To grade all teams prior to the commencement of the association's competitions.

(b) *Protest, Disputes and Judiciary Committee*

- (i) Administer all rules and administrative regulations relating to protests and/or disputes;
- (ii) To investigate, hear and determine all charges of misconduct prior to, during or subsequent to any match, or of bringing the game of cricket or the association or any body affiliated with it or with which it is affiliated, into disrepute and all other matters in respect to offences or complaints or requiring adjudication referred to it by the committee or referable to it under the administrative regulations.
- (iii) The Protest, Disputes and Judiciary Committee may after hearing a matter:
 - (a) Issue a warning in the nature of a reprimand to the person appearing before it or,
 - (b) Impose a fine or,
 - (c) Suspend or disqualify the person for a specified time or,
 - (d) Any combination of (a), (b) and (c) above, or
 - (e) In the case of a player member, expel such person from the association, or
 - (f) Otherwise deal with the person.
- (iv) Any penalty imposed upon a person by the Protest, Disputes and Judiciary Committee shall have effect immediately upon its imposition, notwithstanding the persons rights of appeal under these rules.

(9) Reference to Protest, Disputes and Judiciary Committee

All protests or disputes and all allegations or charges of misconduct shall be made in the manner and referred to the Protest, Disputes and Judiciary Committee, as provided in the competition rules of the association.

(10) The Regulation of the Procedures of the Protest, Disputes and Judiciary Committee and the Appeals Committee.

A reference in the sub clause to the *relevant committee* is a reference to the Protest, Disputes and Judiciary Committee or the Appeals Committee as the case may be.

- (i) The committee shall ensure that the party appearing before the relevant committee is granted a fair hearing provided that nothing contained in these rules shall grant a right of legal representation to any party at a relevant committee hearing.
- (ii) A relevant committee member shall not take part in any hearing which may involve an affiliated club or organisation or a player of a club or a member of an organisation with which he holds office as a director or committee person or with which otherwise holds a close association.
- (iii) The proceedings before the relevant committee shall be recorded in such manner as the chairperson directs. Any person summonsed to appear before the relevant committee who neglects to appear, without proper explanation to the chairperson, shall be dealt with by way of suspension, bond, fine or reprimand, or a combination thereof as the relevant committee sees fit.
- (iv) Any player who does not appear before the relevant committee when ordered may be suspended by the relevant committee until such time as the player appears before it.
- (v) A person appearing before the relevant committee may call witnesses in his support.

- (vi) In the exercise of their function, the relevant committee shall do all such things as may be necessary to ensure:
 - (a) That all matters are set down for hearing as soon as is reasonably possible.
 - (b) That all matters are concluded within as short a period as is reasonably possible.
- (vii) At a hearing of the relevant committee the case of the party appearing shall be presented as decided by the chairperson, but nothing herein removes from any person the onus of proving any ground on which he relies.
- (viii) The relevant committee is not bound by the rules and practices as to evidence.
- (ix) In relation to any hearing the chairperson of the relevant committee may by instruction in writing, require the person to lodge with the relevant committee on or before such date as is specified in the written instruction, a written case setting out the arguments on which the person relies, the witnesses, documents and exhibits relevant to the offence, complaint or appeal.
- (x) Any person neglects to comply with the requirements made to him under sub clause (ix) shall be deemed to be guilty of misconduct and shall be liable to such penalty as the relevant committee determines.
- (xi) The relevant committee may adjourn any hearing until such times, dates and places for such reasons as it thinks fit.
- (xii) The association and committee subject to Rule 22 (7) shall be entitled to publish in the public press or in any other manner they shall think fit, reports of their proceedings, acts, resolutions and findings whether the same shall or shall not reflect on the conduct of any member, player or official and all evidence tendered on such enquiries and reports shall be privileged and every member, player, official or club shall be deemed to have assented to such enquiry and publication as to accept the same as privileged in law.

(**11) Appeal from Decision of Protest, Disputes and Judiciary Committee**

- (i) A person aggrieved with the decision of the Protest, Disputes and Judiciary Committee shall have the right, exercisable within 14 days of the decision, to appeal the decision to the Appeals Committee.
- (ii) The provisions of Rule 22 (10) (i) to (xii) inclusive shall apply mutatis and mutandis to an appeal to the Appeals Committee.
- (iii) The Appeals Committee shall have full power to vary, modify or set aside the decision or finding of the Protest, Disputes and Judiciary Committee and to set aside, increase or decrease the period of any suspension or to order a new hearing.

NEWCASTLE JUNIOR CRICKET ASSOCIATION INC

RULES

PART IV - GENERAL MEETINGS.

Holding of Annual General Meetings

- 23.** The association shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the association, convene an annual general meeting of its members, subject to any extension or permission granted by the Commission under Section 26 (3) of the Act.

Annual General Meetings - Calling of and Business at

- 24.** (1) The annual general meeting of the association shall, subject to the Act and to Rule 23, be convened on such date in the month of July or August in each year and at such place and time as the committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be :
- (a) To confirm the minutes of the last preceding annual general meeting and of any special general meeting(s) held since that meeting;
 - (b) To receive from the committee reports upon the activities of the association during the last preceding financial year;
 - (c) To elect office bearers of the association and ordinary members of the committee;
 - (d) To receive and consider the statement which is required to be submitted to members pursuant to Section 26 (6) of the Act;
 - (e) The announcement by the secretary of the closing time of and date for club entries for the ensuing season;
 - (f) To repeal or amend a competition rule or to make a new one;
 - (g) Any other business brought forward within these rules.
- (3) An annual general meeting shall be specified as such in the notice convening it.

Calling of Special General Meetings

- 25.** (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The committee shall, on the requisition in writing of not less than 10% of members entitled to attend and vote at a general meeting of the association, convene a special general meeting of the association.
- (3) A requisition of members for a special general meeting -
- (a) Shall state the purpose or purposes of the meeting;
 - (b) Shall be signed by the members making the resolution;
 - (c) Shall be lodged with the secretary; and
 - (d) May consist of several documents in a similar form, each signed by one or more of the members making the requisition.

- (4) If the committee fails to convene a special general meeting to be held within one month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by members (as per clause 4) shall be convened as near as is practicable in the same manner as general meetings are convened by the committee and any member who thereby incurs expense is entitled to be duly reimbursed by the association.

Notice

26. (1) The secretary shall at least 14 days before the date fixed for the holding of the general meeting send to each affiliate, at the address appearing in the register of affiliates, a notice specifying the place, time and date of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, notice shall be sent out as per clause 1 at least 21 days prior to the meeting and such notice shall include details of the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of the annual general meeting, business which may be transacted pursuant to Rule 24 (2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

Procedure

27. (1) No item of business shall be transacted at a general meeting unless a quorum of persons entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) A quorum for a general meeting shall be not less than 25 members entitled under these rules to vote at a general meeting being present in person.
- (3) 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 shall be dissolved and, in any other case, shall stand adjourned to a time, and place to be advised in writing by the secretary.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present, being not less than 9, shall constitute a quorum.

Presiding Member

28. (1) The president, or in the president's absence, the vice president, shall preside as chairperson at each general meeting of the association.
- (2) If the president and vice president are both absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

Adjournment

- 29.** (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the adjourned meeting.
- (2) Notice of an adjournment of general meeting and the business to be transacted is not required to be given unless the meeting is adjourned for 14 days or more in which case notice must be given in the manner prescribed in Rule 26.

Making of Decisions

- 30.** (1) A question arising at a general meeting of the association shall be determined by a show of hands and, unless a poll is demanded, a declaration by the chairperson that a resolution has been carried or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number of votes in favour or against that resolution.
 - (2) At a general meeting of the association, a poll may be demanded by the chairperson or by not less than 3 members present at the meeting.
- (3) Where the poll is demanded at general meeting, the poll shall be taken:
- (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment;
 - (b) in any other case in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

Special Resolution

- 31.** A resolution of the association is a special resolution if :
- (a) It is passed by a majority of votes which comprises not less than 75% of the total eligible votes of the association being entitled under these rules so to do, votes presented in person or by proxy at a general meeting of which not less than 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or
 - (b) Where it is made to appear to the commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a), the resolution is passed in a manner specified by the commission.

Votes and Voting

- 32.** (1) Subject to sub clauses (2),(3) and (4), upon any question arising at a general meeting of the association, a member has one vote only.
- (2) A player member shall not be entitled to receive notice of, attend or vote at any general meeting of the association unless such member is an executive member or a delegate member.
- (3) A life member shall be entitled to attend and, with the consent of the meeting, enter into the discussions at any general meeting of the association but shall not, unless such life member is also an executive member or a delegate member, be entitled to vote at a general meeting of the association.

- (4) Delegates of affiliated clubs shall be entitled to an additional vote for each additional 5 teams (or part thereof) entered in the current competitions conducted by the association at, or immediately preceding, the meeting at which they are entitled to vote, in addition to their voting entitlement as per (1).
- (5) A person shall not attend or vote at any meeting of the association as the proxy of an executive member.
- (6) Each delegate member shall be entitled to appoint another person as proxy by notice, in the form prescribed by the committee, given to the secretary prior to the time set down for the commencement of the meeting in respect of which the proxy is appointed. Any person so appointed must be a member of the club, association or body which nominated the member of the association for whom the proxy is to act and the document appointing such proxy must be countersigned by the secretary or other authorised officer of such club, association or body.
- (7) A proxy for a delegate member shall have the same rights and privileges as if the delegate member were present in person.
- (8) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second casting vote.
- (9) A delegate member shall not be entitled to speak or vote at any general meeting if the club which appointed the delegate is in arrears in any fees due to the association, nor such delegate speak or vote if either the delegate or club which appointed the delegate is under disqualification, except in the hearing of an appeal against such disqualification a delegate may speak but shall not vote .

NEWCASTLE JUNIOR CRICKET ASSOCIATION INC

RULES

PART V - MISCELLANEOUS

Insurance

33. The association shall effect and maintain insurance pursuant to section 44 of the Act. In addition the association may effect such other insurance as it sees fit.

Source of Funds

34. (1) The funds of the association shall be derived from registration and affiliation fees, competition fees, fines, donations, sale of equipment, sponsorship and such other sources as the committee determines.
- (2) All money received by the association shall be deposited as soon as practicable in any account opened in the association's name with a bank, building society or corporation, deposits in which have been prescribed as authorised securities pursuant to the Trustee Act, 1925
- (3) The association shall as soon as practicable after receiving any money, issue an appropriate receipt.

Funds Management

35. (1) Subject to any resolution passed by the association in general meeting, the funds of the association shall be used in pursuance of the objects of the association in such manner as the committee determines.
- (2) All accounts received shall be submitted to a committee meeting and if approved paid by an association cheque. All cheques and other negotiable instruments shall bear two signatures. The only persons authorised to sign are the president, secretary and treasurer unless otherwise directed by the committee and association in general meeting.

Alteration of Objects and Rules

36. The statement of objects and these rules may be altered only by a special resolution of the association, *provided that* any such alteration shall have no effect until the commission is notified in the prescribed manner.

Common Seal

37. (1) The common seal of the association shall be kept in the custody of the secretary.
- (2) The common seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of one member of the committee and the public officer or secretary.

Inspection of Books etc.

38. The records, books and other documents of the association shall be open to inspection, free of charge, by a member of the association at any reasonable hour.

Service of Notices

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

Administrative Regulations and Competition Rules

40. (1) Changes to the administrative regulations of the association shall be made by the committee and all members of the association and affiliated clubs and organisations shall be notified by post within 14 days of such resolution of the committee.
- (2) The competition rules for Newcastle Junior Cricket may be repealed, altered, amended or added to by a two thirds majority at a general meeting provided the secretary shall receive the relevant proposals in writing, not later than 31st May preceding an annual general meeting or 28 days prior to a special general meeting, or by recommendation of the committee.
- (3) The administrative regulations and competition rules of the association and any subsequent changes made in accordance with these rules shall have the same force and effect as these rules have by virtue of the Act, *provided that* an administrative regulation is of no effect if it is inconsistent with the Act or these rules or is contrary to law.

Matters Not Specifically Provided For

41. The committee is hereby empowered to deal as it may think fit with members, affiliated clubs or organisations or the members thereof, in respect of complaints and offences and other matters or circumstances not otherwise specifically provided for or covered in these rules or the administrative regulations.

Interpretation of the Rules and Administrative Regulations of the Association

42. The committee shall be the sole authority for the interpretation of these rules and the administrative regulations and its decision upon any question of interpretation or upon any other matter affecting the association shall be final and binding upon members, affiliated clubs or organisations or the members thereof or the members of standing committees and all other persons affected by these rules and the administrative regulations.