

# CONSTITUTION AND RULES OF THE PORT ADELAIDE CRICKET CLUB INC.



## 1. NAME AND OBJECTS

- (a) The Club should be called the “PORT ADELAIDE CRICKET CLUB INCORPORATED” and shall not be dissolved, nor shall its name be altered without the concurrence of three-fourths of its members present at a meeting specially called for the purpose.
- (b) The objects of the Club shall be:
  - (1) To promote, play and foster the game of cricket.
  - (2) To provide facilities for members for playing cricket.
  - (3) To do all things which the Club or Committee of Management thereof may think necessary for promoting the recreation, accommodation and convenience of its members.
  - (4) To purchase, take on lease, in exchange, or otherwise, in lands, buildings, easements or property real or personal which may be required for the purpose of or conveniently exchange or dispose of the same or any parts thereof from time to time and to grant easements in through or over upon the land and to acquire easements or rights over any other land.
  - (5) To deal with the moneys of the Club, not immediately required, upon such security and in such manner as from time to time may be determined by the Committees of Management of the Club.
  - (6) To hire and employ servants, workers and other persons and to remunerate them as see fit in return for services rendered to the Club.
  - (7) To borrow moneys by the issue of debentures with or without security or in any manner to the Committee of Management may determine.
  - (8) To do all other lawful things as are incidental or conducive to the attainments of foregoing objects.

## 2. OFFICE BEARERS

- (a) The Office Bearers of the Club shall consist of: -
  - President
  - Deputy President
  - Chairman
  - Secretary
  - Assistant Secretary
  - Treasurer
  - Committee
  - Honorary Auditor of Auditorsall of whom shall be elected or appointed as herein after provided.
- (b) The President, or in his absence, the Chairman shall preside at Annual General or Special meetings of the club.
- (c) The positions of President, Deputy President and Auditors all of whom hold office for one year shall be elected at the Annual General Meeting of the Club.

## 3. MEMBERSHIP AND ELECTION OF MEMBERS

- (a) Membership of the club shall be divided into the following classes: -
  - (1) Playing member
  - (2) Non-playing member
  - (3) Honorary Life member
- (b) Every candidate for membership shall be nominated by an existing member on a form provided. Acceptance of properly nominated candidates shall be by majority ballot of the members of the Committee of Management. The Committee of Management may defer a vote upon any person’s application for membership for so long as it thinks fit.

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- (c) The Secretary shall notify each successful candidate of his election and furnish him with a printed copy of the Constitution and Rules and enrol him or her as a member of the Club whereupon the member shall become bound by the Rules and by all consequences resulting from breach or non-performance thereof.
- (d) Every person elected a member of the Club shall remain a member until death, resignation or expulsion.
- (e) Every member shall notify the Secretary in writing of any change of his address. All notices sent by post or otherwise to a member to the last address given by the member shall be deemed to have been duly given to such a member.

### **4. MEMBERS SUBSCRIPTIONS**

- (a) The annual subscriptions payable to the Club in respect of the various membership categories and the due date for payment thereof shall be determined by the Committee of Management. In its discretion, and so far as playing members only are concerned, the Committee of Management may differentiate between membership subscriptions and match fees.
- (b) Any person who shall pay the amount determined in accordance with paragraph (a) above shall become a member until the expiration of the Annual General Meeting next succeeding the date of such payment.
- (c) Any person who fails to pay the annual subscription as herein before stipulated shall be deprived of all privileges of membership. In addition, any playing member who is unfinancial, whether the amount so outstanding comprises subscriptions or match fees may, as directed by the Committee of Management, be declared unavailable for selection. The Committee of Management may re-instate any unfinancial person as a member upon payment of the outstanding amounts.

### **5. COMMITTEE OF MANAGEMENT**

- (a) The affairs of the Club shall be controlled and managed by a Committee to be called "The Committee of Management".
- (b) The Committee of Management shall consist of: -
  - Chairman
  - Secretary
  - Assistant Secretary
  - Five ordinary members of the cluball of whom shall hold office for a period of two years in accordance with the rotation basis previously established.
- (c) The Chairman shall have a casting vote as well as a deliberative vote.

### **6. POWERS, FUNCTIONS AND DUTIES OF THE COMMITTEE OF MANAGEMENT.**

- (a) The Committee of Management shall have full authority:
  - (1) To control the funds and finance of the Club.
  - (2) To call special meetings of the Club.
  - (3) To make by-laws for the general management of the club provided that the same are not inconsistent with this Constitution.
  - (4) To appoint a person to act as Patron who can be an ex-officio member of the Club.
  - (5) To appoint and dismiss club coaches, team members, scorer, servants, workers and other persons employed.
  - (6) To fill any vacancy in the Office Bearers which occurs between Annual General Meetings of the club.
  - (7) To appoint captains and vice captains.

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- (b) The Committee of Management by by-law or by resolution duly entered into its minutes, delegate all or any of its power to a sub-committee, consisting of one or more persons as it shall think fit to appoint, and may revoke or recall at its pleasure any such delegation or appointment.
- (c) Any member of the Committee of Management who shall absent himself from three consecutive meetings without providing an explanation satisfactory to those meetings shall cease to be a member of the Committee of Management.
- (d) The Committee of Management shall meet on the first Tuesday of every month or as decided by the Secretary who shall advise each member of the Committee of Management of such other time and place.

### 7. NOMINATIONS AND ELECTIONS

- (a) All nominations for Office Bearers must be signed by the candidate and two members of the Club and be delivered to the Secretary at least seven days prior to the Annual General or Special Meeting of the Club.
- (b) If no more persons are nominated for any office that there are vacancies the chairman of the Annual General Meeting shall declare such persons duly elected.
- (c) If more candidates are nominated than there are vacancies, then such election shall be by ballot as directed by the Chairman of the Annual General Meeting.
- (d) All officers of the Club shall be deemed to hold office until their successors shall have been duly elected.

### 8. SELECTION COMMITTEE

- (a) The "A" Grade Team shall be selected by a Selection Committee comprising the Coach and at least four other persons appointed by the Committee of Management.
- (b) The other teams of the Club shall be selected by Selection Committees comprising such number of persons as the Committee of Management appoints for that purpose.

### 9. SECRETARY AND ASSISTANT SECRETARY

- (a) The Secretary shall keep correct minutes of meetings held by the Committee of Management and General Meetings, conduct correspondence under the direction of the Committee of Management and in general perform functions as usual pertaining to this office.
- (b) The Secretary shall be responsible for complying with the rules from time to time in force with the South Australian Cricket Association.
- (c) The Secretary shall be responsible for maintaining a register of members.
- (d) The Secretary is approved by the Committee of Management, may delegate any of the above responsibilities to the Assistant Secretary.

### 10. TREASURER

- (a) The Treasurer should keep a correct account of the income and expenditure of the Club, receive the contributions from members and other any moneys due to the Club, submit a monthly summary thereof to the Committee of Management and pay all moneys into a bank account in the Club's name.
- (b) All cheques and negotiable instruments shall be signed by any two of the Secretary, Assistant Secretary, Treasurer and Chairman.

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## 11. ANNUAL GENERAL MEETING

- (a) The Annual General Meeting of members shall be held not later than 31<sup>st</sup>. August in each year for the purpose of receiving the report of the Committee of Management, the Financial Statements duly audited, the election of office bearers and any general business submitted to the meeting.
- (b) The Club's financial year shall end on 30<sup>th</sup>. April.

## 12. SPECIAL MEETING

- (a) The Secretary shall call a special meeting whenever directed by the Committee of Management or upon receiving a requisition signed by not less than fifteen members of the Club, specifying the matter or matters to be discussed, and the motion or motions to be submitted. Whenever a special meeting is called, either by Committee of Management or by members' requisition, the Committee of Management shall determine the date thereof provided that such meeting shall be held no later than 21 clear business days from the time of receiving the requisition.
- (b) No business shall be transacted at a special meeting other than that specified in the notice convening such a meeting.
- (c) No amendment or alteration of substance to any motions set out in such notice shall be allowed, unless the same is permitted by the majority of members present at such a meeting.

## 13. CALLING OF MEETINGS

- (a) The Annual General and all Special Meetings shall be called either by circular addressed to all members or by advertisement in the daily press at least fourteen days prior to each such meeting.

## 14. VOTING

- (a) Any member of the Club shall be entitled to vote at any Annual General or Special Meeting of the Club.
- (b) All propositions, questions and matters submitted in accordance with this constitution to any Annual General and Special meeting, shall be decided by a majority of those present, to be determined in the first instance by a show of hands.

## 15. POLLS

- (a) Any five members may demand a poll, and if a poll is so demanded, the proposition, question or matter shall be finally decided by a division to be held and conducted in such a manner as shall be determined by the Chairman.
- (b) All decisions arrived at and carried at any Special or Annual General Meeting held in conformity with these rules, shall be binding and conclusive upon all members and no notice of motion to reconsider any such decision shall be received during the current financial year during which such decision has been so arrived.

## 16. QUORUM

- (a) The number of members and/or players required to present to form a quorum shall be as follows: -
  - (1) At all Annual General and Special Meetings, 20 (twenty)
  - (2) At all Player Meetings, 15 (fifteen)
  - (3) At all Committee of Management Meetings, 4 (four)

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## EXPULSION

- (a) If any member shall be guilty of an act which in the opinion of the Committee of Management renders it undesirable that he or she should continue as a member, the Committee of Management or a Special General meeting may expel such offending member and strike the member's name from the membership list. Provided that if the removal shall be by the Committee of Management such member may appeal to a Special General meeting and the decision of the Committee of Management shall not be interfered with unless by a vote of two-thirds of the members present at such General meeting. Written notice of such appeal must be made to the Secretary within seven days of the notification of expulsion to such member.
- (b) In relation to a playing member, the Committee of Management shall have, in addition to its power of expulsion aforesaid, or in lieu thereof, the power to suspend the member for any period for whatever reason it thinks fit and to seek endorsement of such suspension by the South Australian Cricket Association.

## 17. COLOURS

- (a) The colours of the Club shall be black and white.

## 18. CONDUCT IN THE FIELD

- (a) The Captains shall have the sole management of the teams entrusted to them and command and decide in all matters of dispute which may arise on the field.
- (b) Any player reported by the captains for any offence in the field shall be dealt with by the Committee of Management.

## 19. HONORARY LIFE MEMBERS

- (a) The Committee of Management may confer life membership upon any person who has served the Club for a period of fifteen years. In determining the fifteen years' service requirement, player's years of service shall only include seasons in which the player plays at least six games in the Club's senior grades. Compulsory playing service with other S.A.C.A clubs shall also be taken into consideration when determining numbers of years of service.

## 20. INTERPRETATION OF RULES

- (a) The interpretation of these rules, or any question arising out of or not provided for in these rules, shall be in the discretion of the Committee of Management whose decision thereon shall be final and binding on all the members.

## 21. ALTERATION OF RULES

- (a) No rule of the Club shall be altered, amended or rescinded without the concurrence of a majority of members present at the Annual General Meeting or at a meeting specially called for that purpose.

## 22. HONORARY MEMBERS

- (a) Players and officials of any sporting club which visits the Club to compete against a team of the Club shall be honorary members of the Club on the day or days on which such competition takes place.
- (b) Honorary members shall not be liable to pay any subscription fees.

## 23. DISSOLUTION

- (a) In the event of any dissolution or winding up of the Club, no distribution of its surplus assets, whether in money, property or otherwise, shall be made to its members or to relatives of its members, but the same shall be disposed of by assigning the same to such one or more clubs or associations having objects substantially similar to those of the Club or to such one or more charitable institutions as approved of by the meeting which sanctions the winding up of the

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Club, and if to more than one of such clubs, associations or charitable institutions, in such proportion as may then be approved.

