

Metropolitan Veterans Cricket Association Constitution

1. Name

- 1.1. The name of the incorporated body shall be known as the Metropolitan Veteran Cricket Association, referred to herein as 'MVCA'.

2. Definitions

- 2.1. 'General committee' means the committee of the management of the MVCA.
- 2.2. 'General meeting' means a general meeting of team representatives of the MVCA.
- 2.3. 'Ordinary member' means a member of the MVCA.
- 2.4. 'Team representative' means the individual who represents a team within the MVCA.
- 2.5. 'Office bearer' means a member who is a title holder of the MVCA.
- 2.6. 'Team' means a squad of ordinary members playing in the MVCA.
- 2.7. 'The Act' means the Associations Incorporations Act 2015.
- 2.8. 'Special resolution' means a special resolution defined in the Act.
- 2.9. 'Month' shall mean one calendar month.

3. Objects

- 3.1. The objects of the Association are to:
 - 3.1.1. Promote Veterans cricket within the Perth metropolitan location.
 - 3.1.2. Encourage and provide opportunities for members to participate in the sport of cricket by providing modified rules for an older age group.
 - 3.1.3. Foster cricket relationships with other cricket organisations.
 - 3.1.4. Raise money as required and invest such money for the objectives of the MVCA.

4. Powers of the Club

- 4.1. The Association shall have all the powers conferred by section 14 of the Act.

5. Membership

5.1. Type of Membership

- 5.1.1. Ordinary Member: any person who has paid the subscriptions presented in section 5.2. Ordinary members shall be represented by their team's representative at the General committee meetings and do not have voting rights at general meetings.
- 5.1.2. Team Representative: any person who is a team leader, a Captain, or Manager of a team involved in the MVCA. Team representatives have voting rights and they will be members of the general committee.
- 5.1.3. Office Bearer: any person who holds an executive position on the general committee.
- 5.1.4. Life Member: any person who has given outstanding service to the association for a period not less than ten years. Any current financial member

may nominate, a candidate for membership by writing to the Secretary. Nominations should include the members' reasons for putting forward the candidate for life membership. This should be decided by the current general committee, with a vote of at least 80% of current committee members. A Life Member shall be entitled to the same rights and entitlements as any ordinary member of the MVCA.

5.2. Subscriptions

5.2.1. The subscription fees for membership, insurance, and ground fees shall be such sum, if any, as the team representatives shall determine as required in Annual General Meetings.

5.2.2. The subscription fees shall be payable annually on the 1 October or at a time that the committee determines.

5.2.3. Any team whose subscriptions are outstanding for more than three months after the due date for payment shall cease to be a member of the MVCA, provided always that the Office bearers may reinstate a membership on such terms as it thinks fit.

5.2.4. Life Members are not required to pay fees unless they are also registered players.

5.3. Resignation of a team

5.3.1. A team may resign from membership of the MVCA by giving written notice to the secretary of the MVCA. Any resigning team shall be liable for any outstanding subscriptions and outstanding ground fees which may be recoverable as a debt due to the MVCA.

5.4. Expulsion of a Member / Team

5.4.1. Subject to giving a member / team an opportunity to make a written submission, the committee may resolve to expel a member upon a charge of misconduct detrimental to the interests of the MVCA.

5.4.2. Particulars of the charge shall be communicated to the member / team at least one week before the meeting of the office bearers at which the matter will be determined. The member may provide to the office bearers a response in writing for the consideration of the office bearers not less than one day before the office bearers meeting.

5.4.3. The determination of the office bearers shall be communicated to the member / team, and in the event of an adverse determination the member / team shall, subject to 5.4.4 below, cease to be a member eight days after the office bearers have communicated its determination to the member / team.

5.4.4. It shall be open to a member / team to appeal the expulsion from the MVCA to the office bearers at an office bearers meeting. The intention to appeal shall be communicated to the secretary of the MVCA within seven days after the determination of the office bearers has been communicated to the member / team.

5.4.5. In the event of an appeal under 5.4.4 above, the appellant's membership of the MVCA shall not be terminated unless the determination of the general committee to expel the member / team is confirmed by a further meeting of the general committee at which the appellant may appear. A member / team are terminated at the date of the meeting at which the determination of the office bearers is confirmed.

5.5. Register of Members

5.5.1. A digital register of members shall be kept and contain:

5.5.1.1. the name and contact information of each member,

5.5.1.2. the date on which each member was admitted to MVCA, and

5.5.1.3. if applicable, the date of and reason(s), for termination of membership.

5.5.2. Any member wishing to inspect the register of members must contact the Secretary to make the necessary arrangement. The Secretary will approve or deny the request after consideration of the reason for the request, subject to data privacy laws.

5.5.3. If a member wishes to make a copy of the register, they should submit an email request to the secretary and provide a statutory declaration stating the purpose of the register copy and declaring that the purpose is connected with the affairs of the Association.

6. The Committee (The Management Committee)

6.1. Powers and Duties

6.1.1. The affairs of MVCA shall be managed and controlled by the general committee which, in addition to any powers and authorities conferred by the Act, may exercise all such powers and do all such things as are within the objects of MVCA, and are not by the Act or by these rules required to be done by MVCA in a general meeting.

6.1.2. The committee has the management and control of the funds and other property of the MVCA.

6.1.3. The committee shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the MVCA on which these rules are silent.

6.1.4. The committee may form sub-committees for specific purposes as and when deemed necessary by the general committee. Nominations and appointment of members will be approved by the general committee.

6.1.5. The committee shall appoint a public officer as required by the Act.

6.2. Appointment

6.2.1. The office bearers shall be comprised of a Chair, Secretary, Treasurer and Deputy Chair.

6.2.2. In addition to the office bearers, a general committee comprised of the office bearers and at least one team representative from each of the competing teams in the MVCA.

6.2.3. All office bearers and general committee positions are to be appointed for a period of one year.

6.2.4. The general committee may appoint a person to fill a casual vacancy, and such a committee member shall hold office until the next annual general meeting.

6.2.5. Any member of the committee can only hold one office bearing role per year.

6.3. Duties of office bearers

6.3.1. Chair: The duties of the Chair are as follows;

- 6.3.1.1. To oversee the management of the MVCA,
 - 6.3.1.2. to chair all the meetings of the MVCA,
 - 6.3.1.3. oversee the management of the MVCA committees,
 - 6.3.1.4. represent the club at official functions where necessary,
 - 6.3.1.5. have a non-voting position unless required under 6.4.2.
- 6.3.2. Deputy Chair: The duties of the Deputy Chair are as follows;
- 6.3.2.1. to ensure office bearers are adhering to constitution,
 - 6.3.2.2. to stand in place of Chair in event under 5.4
 - 6.3.2.3. other duties as directed by the General Committee.
- 6.3.3. Secretary: The duties of the Secretary are as follows
- 6.3.3.1. administration of the MVCA,
 - 6.3.3.2. issues notices for all meetings,
 - 6.3.3.3. recording and maintenance of minutes,
 - 6.3.3.4. maintenance of the MVCA register,
 - 6.3.3.5. maintenance of the records of details of committee members,
 - 6.3.3.6. routine correspondence,
 - 6.3.3.7. other duties as directed by the General Committee.
- 6.3.4. Treasurer: The duties of the Treasurer are as follows;
- 6.3.4.1. the financial administration of the MVCA,
 - 6.3.4.2. the proper keeping of all books of accounts,
 - 6.3.4.3. receipt, safe-custody, banking, payment of monies,
 - 6.3.4.4. other duties assigned by the general committee.
- 6.4. Proceedings of the General Committee
- 6.4.1. The general committee shall meet before and after the MVCA cricket season and not less than three times per year by a method determined suitable at the time.
 - 6.4.2. Questions arising at any meeting of the general committee shall be decided by a majority of votes cast by team representatives, one per team, and in the event of equality of votes the Chair shall have a casting and deciding vote.
 - 6.4.3. A quorum for a meeting of the general committee shall be comprised of more than two-thirds of the members of the general committee with at least two of the office bearers present.
 - 6.4.4. A member of the general committee having a direct or indirect pecuniary interest in a contract or proposed contract with the MVCA must disclose the nature and extent of that interest to the general committee as required by the Act and shall not vote with respect to that contract or proposed contract.
- 6.5. Disqualification of Committee Members
- 6.5.1. The office of a committee member shall become vacant if a committee member is:

- 6.5.1.1. disqualified from being a committee member by the Act.
- 6.5.1.2. expelled as a member under section 5.4.
- 6.5.1.3. permanently incapacitated by ill health
- 6.5.1.4. absent without apology from more than three meetings in a financial year.

6.5.2. where a person ceases to be a member of the association's committee, that person shall, as soon as practicable after their membership ceases, deliver to a member of the committee all of the relevant documents and records they hold pertaining to the management of the association's affairs.

7. The Watermark

- 7.1. All documents produced by MVCA shall have a common watermark upon which the name Metropolitan Veterans Cricket Association Inc shall appear in legible characters.
- 7.2. The watermark shall not be used without the express authorisation of the committee, and every document with a watermark shall be recorded in the Document Register of MVCA.

8. General Meetings

8.1. Annual General Meetings

- 8.1.1. The committee shall call an annual general meeting in accordance with the Act and these rules.
- 8.1.2. Annual General meeting shall be held no later than 1 May of each year.
- 8.1.3. The order of the business at the meeting shall be:
 - 8.1.3.1. The confirmation of the minutes of the previous annual general meeting and of any special general meeting held since that meeting.
 - 8.1.3.2. The consideration of the accounts and reports of the committee.
 - 8.1.3.3. The election of the office bearers
 - 8.1.3.3.1. Chair
 - 8.1.3.3.2. Treasurer
 - 8.1.3.3.3. Secretary
 - 8.1.3.3.4. Deputy Chair
 - 8.1.3.3.5. Team representatives confirmed.
 - 8.1.3.4. Any other business requiring consideration by the MVCA in general meeting.

8.2. Special General Meeting

- 8.2.1. The committee may call a special general meeting of the club at any time
- 8.2.2. Upon a requisition in writing of not less than two team representatives of the MVCA, the general committee shall, within one month of the receipt of the requisition, convene a special general meeting for the purpose specified in the requisition.
- 8.2.3. Every requisition for a special general meeting shall be signed by the relevant members and shall state the purpose of the meeting.

8.2.4. If a request for a special general meeting is not acted upon within 30 days, as required by 8.2.2 above, the requisitions, or at least 50% of their number, may convene a special general meeting. Such a meeting shall be convened in the same manner, as early as practical as a meeting convened by the committee. For this purpose, the committee shall ensure that the requisitions are supplied free of charge with particulars of the members entitled to receive a notice of meeting. The reasonable expenses of convening and conducting such a meeting shall be borne by the MVCA.

8.3. Notice of General Meetings

8.3.1. Subject to 8.3.2, at least fourteen days' notice of any general meeting shall be given to members. The notice shall set out where and when the meeting will be held, and particulars of the nature and order of the business to be transacted at the meeting.

8.3.2. Notice of a meeting at which a special resolution is to be proposed shall be given at least twenty-one days prior to the meeting.

8.3.3. A notice may be given by the MVCA to any member by serving the member with the notice personally, or by sending as per contact details provided by the said member.

8.4. Proceedings at General Meetings

8.4.1. Two-thirds of voting members present personally, or by proxy, shall constitute a quorum for the transaction of business at any general meeting.

8.4.2. If within 30 minutes after the time appointed for the meeting a quorum of members is not present, a meeting convened upon the requisition of members shall lapse. In any other case, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at such an adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present shall form a quorum.

8.4.3. Subject to 8.4.4, the Chair shall preside as Chair at a general meeting of the MVCA.

8.4.4. If the Chair is not present within five minutes after the time appointed for holding the meeting, or he or she is present but declines to take or retires from the Chair, the members may choose a committee member or one of their own number to be the Chair of that meeting.

8.5. Voting at General Meetings

8.5.1. Subject to these rules, every eligible member of the MVCA has only one vote at a meeting of the club.

8.5.2. Subject to these rules, a question for decision at a general meeting, other than a personal resolution, must be determined by a majority of members who vote in person or, where proxies are allowed, by proxy at that meeting.

8.5.3. Unless a poll is demanded by at least half of voting members, a question for decision at a general meeting must be determined by a show of hands.

8.6. Poll at general meetings

8.6.1. If a poll is demanded by at least half of voting members, it must be conducted in a manner specified by the person presiding and the result of the poll is the resolution of the meeting on that question.

8.6.2. A poll demanded for the election of a person presiding or on a question of adjournment must be taken immediately, but any other poll may be conducted at any time before the close of the meeting.

8.7. Special and ordinary resolutions

8.7.1. A special resolution as defined in the Act.

8.7.2. An ordinary resolution is a resolution passed by a simple majority at a general meeting.

8.8. Proxies

8.8.1. A voting member shall be entitled to appoint in writing a natural person who is also a member of the MVCA to be their proxy and attend and vote at any general meeting of the MVCA.

9. Minutes

9.1. Proper minutes of all proceedings of the club and of meetings of the committee, shall be entered within one month after the relevant meeting in minute records kept for the purpose.

9.2. The minutes kept pursuant to this rule must be confirmed by members of the club, or the members of the committee (as relevant) at a subsequent meeting and such recorded as being true and correct.

10. Financial reporting

10.1. Financial Year: The financial year of the MVCA is the period of 12 months commencing on 1 April and ending on 31 March of each year.

10.2. Accounts to be kept: The MVCA shall keep and retain such account records as are necessary to correctly record and explain the financial transactions and financial position of the MVCA in accordance with the Act. As per regulation 8 of the Associations Incorporations Act 2015 the financials are to be audited after the end of the financial year.

11. Prohibition against securing profits for members

11.1. The income and capital of the MVCA shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to member or their team except as bona fide remuneration of a member for services rendered or expenses incurred on behalf of the MVCA.

12. Resolution of Disputes

12.1. The resolution of disputes under or relating to rules of the association, between members of the association shall be addressed as below:

12.1.1. For disputes between members of the association, the parties shall attempt to resolve the dispute between themselves within four days after the dispute has come to the attention of the parties.

12.1.2. If the dispute between the members is not resolved, a Special General Meeting shall be convened by the committee within one month after notice of non-resolution to the committee. The parties in the dispute shall be invited to the Special General Meeting and are required to attend the meeting.

12.1.3. The committee shall undertake all necessary measures to ensure a fair and reasonable resolution of the dispute during the Special General Meeting.

12.1.4. The decision of the committee in response to resolution of the dispute shall be considered final.

12.2. The resolution of disputes under or relating to rules of the association, between the members of the association and the incorporated association shall be addressed

by appointment of a mutually agreed mediator. The person appointed as mediator shall be a member or former member of the association.

12.2.1. The parties to the mediation must, in good faith, attempt to settle the matter that is the subject of the mediation.

12.2.2. If, as the result of the mediation, the decision to suspend the member's membership or to expel the member is revoked, that revocation does not affect the validity of any decision made at a committee meetings or general meetings during the period of suspension or expulsion.

13. Winding up

13.1. The MVCA may be wound up in the manner provided for in the Act.

14. Application of surplus assets

14.1. If, after winding up of the MVCA, there remain 'surplus assets' as defined in the Act, such surplus assets shall be distributed to any organisation which has similar objects and has rules which prohibit the distribution of its assets and income to its members.

14.2. Such organisation, or organisations, shall be identified and determined by a resolution of team representatives in a general meeting.

15. Rules

15.1. These rules may be altered (including an alteration to the MVCA name) by special resolution of the members of the MVCA. This includes revision or replacement by substitute rules.

15.2. The alteration shall be registered with the Office of Consumer and Business Affairs, Corporate Affairs Commission, as required by the Act.

15.3. Registered Rules shall bind the MVCA and every member to the same extent as if they have respectively signed and sealed them and agreed to be bound by all of the provisions thereof.