



RULES OF THE EDINBURGH CRICKET CLUB INC

Version incorporating amendments passed at Annual General Meeting 25 May 2016

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1. NAME OF THE CLUB

The name of the incorporated association is the Edinburgh Cricket Club Inc (in these Rules called “the Club”).

2. STATEMENT OF PURPOSE

The purposes for which the Club is established are:

- 2.1. the promotion of the game of cricket;
- 2.2. to operate a cricket-based sports club for residents of Fitzroy/North Fitzroy and surrounding areas;
- 2.3. to provide equal opportunity for community participation and recreation from a cricket perspective for children from a variety of socio-economic and cultural backgrounds and sporting abilities, in a friendly, participative and safe environment;
- 2.4. to provide a sense of community spirit and cooperation in the broader Fitzroy/North Fitzroy community; and
- 2.5. to pursue the interests of the Edinburgh Cricket Club.

3. DEFINITIONS

In these Rules, unless the contrary intention appears:

Act means the Associations Incorporation Reform Act 2012;

Chair means the person chairing the meeting in accordance with these Rules;

Code of Conduct means the Club’s Code of Conduct as adopted by the Club as the Club’s policy for prohibiting harassment, discrimination, bullying, unwanted behaviour and the handling of complaints;

Committee means the Committee of the Club elected in accordance with these Rules;

Financial year means the year ending on 30 April;

General meeting means an annual general meeting or a special general meeting;

Junior Member has the meaning given in rule 5;

Honorary Life Member has the meaning given in rule 8;

Member means a member of the Club;

Notice has the meaning given in rule 20.2;

Parent means a person who is acting in the place of a parent and who could reasonably be expected to exercise responsible supervision of the junior member and as well as a natural parent can include:

- a step-parent;
- an adoptive parent;
- a foster parent;
- a guardian; or
- a person who has custody or daily care and control of the child;

Parent Member has the meaning given in rule 6;

Registration means the registration of an eligible person as a Club player in the manner and form approved by the Committee;

Regulations means the regulations made under the Act;

Relevant Documents has the same meaning as in the Act;

Senior Member has the meaning given in rule 7;

Social Member has the meaning given in rule 9;

Special Resolution has the same meaning as in the Act.

4. MEMBERSHIP

Any person who is a member at the adoption of these Rules shall be a member in the category that most closely relates to the member's circumstances.

5. JUNIOR MEMBER

5.1 Any cricketer who is eligible to play junior cricket in the relevant year is eligible to become junior member.

5.2 Application for membership as a junior member shall:

- 5.2.1 be in writing in a form approved by the Committee from time to time, which form may take the form of a registration form for the relevant association;
- 5.2.2 include the applicant's name and date of birth, and if required a copy of the applicant's birth certificate;
- 5.2.3 include the name of the applicant's parent or parents;

- 5.2.4 be signed by the applicant's parent or parents; and
- 5.2.5 be delivered to the relevant team manager or the Secretary together with the application fee (if any).
- 5.3 Upon delivery of the application form in accordance with this rule, the applicant for junior membership shall be entitled to play for the Club in any interclub or intraclub competition and to train with the Club, pending the outcome of consideration of the application by the Committee in accordance with rule 5.4.
- 5.4 The application for junior membership shall be delivered to the Committee and the Committee shall consider the application for junior membership at a duly convened Committee meeting and a simple majority of votes shall be required to approve an application for junior membership.
- 5.5 Upon approval of the application by the Committee, the Secretary shall enter the name of the junior member (and the parent or parents of the junior member) into the register of members.
- 5.6 If the application is rejected by the Committee, the Secretary shall, as soon as practicable, advise the applicant of the rejection and shall not be required to provide any reasons thereof.
- 5.7 A junior member may be automatically transferred to senior membership, if the member wishes to play senior cricket, when the junior member becomes of an age that renders the junior member ineligible to play junior cricket and shall be required to pay the senior annual subscription fee.

6 PARENT MEMBER

- 6.1 Any parent of a junior member whose name appears on the application form of a junior member shall be a parent member.
- 6.2 Any junior member whose parent/s' name did not appear on the application form for membership may nominate his/her parent/s for membership by notifying the Secretary or relevant team manager.
- 6.3 Upon nomination in accordance with rule 6.2 the Secretary shall enter the name of the parent/s of the junior member into the register of members.
- 6.4 Notwithstanding anything to the contrary in this rule, if a parent member is suspended or expelled in accordance with these rules, then the parent member shall cease to be a member of the Club.
- 6.5 Parent members cease to be members upon cessation of membership of the relevant junior member or upon the junior member being transferred to senior membership in accordance

with rule 5.7.

7 SENIOR MEMBER

7.1 Any cricketer who is ineligible to play junior cricket because of his/her age in the relevant year is eligible to become a senior member.

7.2 Application for membership as a senior member shall:

7.2.1 be in writing in a form approved by the Committee from time to time, which form may also be a registration form;

7.2.2 include the applicant's name and date of birth;

7.2.3 be signed by the applicant; and

7.2.4 be delivered to the relevant team manager, team captain or the Secretary together with the application fee (if any).

7.3 Upon delivery of the application form in accordance with this rule, the applicant for senior membership shall be entitled to play for the Club in any interclub or intraclub competition and to train with the Club, pending the outcome of consideration of the application by the Committee in accordance with rule.

7.4 The application for senior membership shall be delivered to the Committee and the Committee shall consider the application for senior membership at a duly convened Committee meeting and a simple majority of votes shall be required to approve an application for senior membership.

7.5 Upon approval of the application by the Committee, the Secretary shall enter the name of the senior member into the register of members.

7.6 If the application is rejected by the Committee, the Secretary shall, as soon as practicable, advise the applicant of the rejection and shall not be required to provide any reasons thereof.

8 HONORARY LIFE MEMBER

8.1 The Committee may resolve to recommend any member who has rendered outstanding service to the Club for Honorary Life Membership.

8.2 The recommendation of the Committee shall be put to the members at the annual general meeting following the date that the Committee made the resolution, and if a majority of two thirds of members present and voting at the annual general meeting approves the

recommendation the member shall be elected as an Honorary Life Member.

8.3 Honorary Life Membership of any person may be revoked by a two-thirds majority of members present and voting at a general meeting of the Club.

9 SOCIAL MEMBER

9.1 Any person over the age of 18 years who applies in accordance with these rules is eligible to become a social member of the Club.

9.2 A social member, except a social member who is a member by reason of clause 9.7 will have all the rights of a senior member, save that:

9.2.1 she or he is not entitled to vote at the annual general meeting or a special general meeting of the Club; and

9.2.2 she or he will not be counted when determining quorum for the purposes of clause 21.3.

9.3 Application for membership as a social member shall:

9.3.1 be in writing in a form approved by the Committee from time to time;

9.3.2 include the applicant's name;

9.3.3 be signed by the applicant; and

9.3.4 be delivered to the relevant team manager or the Secretary together with the application fee (if any).

9.4 The application for social membership shall be delivered to the Committee and the Committee shall consider the application for social membership at a duly convened Committee meeting and a simple majority of votes shall be required to approve an application for social membership.

9.5 Upon approval of the application by the Committee, the Secretary shall enter the name of the social member into the register of members.

9.6 If the application is rejected by the Committee, the Secretary shall, as soon as practicable, advise the applicant of the rejection and shall not be required to provide any reasons thereof.

9.7 Each member of any opposition team that is named to play in a game at either Brunswick Street Oval or Alfred Crescent on any day when the Club is the designated home team, shall be a social member of the Club for the duration of the day on which that game is played.

9.8 Each parent, sibling, spouse, partner or any other family member or friend of any senior or junior member who is named to play or who plays at either Brunswick Street Oval or Alfred Crescent in a game sanctioned by any association of which the Club is a member, shall be a social member of the Club for the duration of the day on which the game is played.

9.9 Any social member that is a member of the Club by reason of the clauses 9.7 or 9.8 will not be required to comply with the requirements of clauses 9.3 to 9.5.

9A VISITORS AND restriction on TEMPORARY MEMBERS

9A.1 A visitor to the Club must not be supplied with liquor in the Club premises unless the visitor is a guest in the company of a member of the Club

9A.2 The Club will maintain a register of guests to the Club.

10 RIGHTS OF MEMBERS

10.1 All members shall be entitled to use the facilities of the Club in accordance with these rules and the by-laws laid down by the Committee and, subject to selection, shall be eligible to represent the Club in any cricket competitions and to participate in any intraclub competitions.

10.2 Junior members shall not be entitled to vote at any general meeting of the Club nor to stand for election to the Committee nor vote in any election for the Committee nor to nominate any other member for the Committee.

10.3 Parent members who are on the members register, senior members, honorary life members and social members shall be entitled to vote at any general meeting of the Club and to stand for election to the Committee and to nominate any other member for the Committee.

11 CESSATION OF MEMBERSHIP

11.1 Any member may resign membership of the Club by notifying the Secretary or the relevant team manager in writing that the member wishes to resign.

11.2 If a notice of resignation is stated to be effective prior to 1 October in any year, the resigning member shall not be entitled to any refund of fees or subscriptions paid.

11.3 Subject to rule 14.5 if a member fails to pay any relevant fee within one month of it becoming due, the defaulting member shall cease to be a member.

11.4 A member ceases to be a member if he/she is expelled as a result of disciplinary action in accordance with rule 12.

- 11.5 A member's membership ends if the member is deregistered by the relevant League or Association or is otherwise removed from the list of eligible players kept by those bodies and shall be eligible to reapply for membership in an appropriate category.

12 DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS

- 12.1 Subject to these rules, the Committee may by resolution:

12.1.1 expel a member from the Club;

12.1.2 suspend a member from membership of the Club for a specified period; or

12.1.3 impose any appropriate requirement or restriction on a member.

- 12.2 A resolution referred to in the previous rule 12.1 may be made if the Committee is of the opinion that the member:

12.2.1 has refused or neglected to comply with these rules;

12.2.2 has refused or neglected to comply with the Club's Code of Conduct; or

12.2.3 has been guilty of conduct unbecoming a member or prejudicial to the interests of the Club.

- 12.3 A resolution of the Committee under rule 12.1:

12.3.1 does not take effect unless the Committee, at a meeting held within a reasonable length of time after the service of notice under rule 12.4 on the member, confirms the resolution in accordance with this rule;

12.3.2 in determining what is a reasonable length of time for the purpose of rule 12.3.1 the Committee may take into account the time taken:

12.3.2.1 for any related action in accordance with rule 13;

12.3.2.2 for any grievance procedure under the Code of Conduct or any other Club policy or procedure;

12.3.2.3 any related action taken by the relevant League or Association; or

12.3.2.4 whether the conduct is the subject of any inquiry, investigation, or other lawful procedure by the police, or any other authority or any legal or arbitration proceedings.

12.3.3 where the member exercises a right of appeal to the Club under this rule, it does not take effect unless the Club confirms the resolution in accordance with this

rule.

- 12.4 Where the Committee passes a resolution under rule 12.1 the Secretary shall, as soon as practicable, cause to be served on the relevant member a notice in writing:
 - 12.4.1 setting out the resolution of the Committee and the grounds on which it is based;
 - 12.4.2 stating that the member may address the Committee at a meeting to be held by the Committee;
 - 12.4.3 stating the date, place and time of that meeting;
 - 12.4.4 informing the member that they may do one or more of the following:
 - 12.4.4.1 attend that meeting;
 - 12.4.4.2 give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution;
 - 12.4.4.3 not later than twenty-four hours before the date of the meeting, lodge with the Secretary a notice to the effect that he/she wishes to appeal to the Club in general meeting against the resolution.
- 12.5 At a meeting of the Committee held in accordance with rule 12.3, the Committee:
 - 12.5.1 shall give to the member an opportunity to be heard;
 - 12.5.2 shall give due consideration to any written statement submitted by the member;
 - 12.5.3 shall by resolution determine whether to confirm or to revoke the resolution or to alter the resolution by imposing some other form of appropriate requirement or restriction on the member.
- 12.6 Where the Secretary receives a notice under rule 12.4.4.3 he/she shall notify the Committee and the Committee shall convene a general meeting of the Club to be held within thirty-five days after the date on which the Secretary received the notice.
- 12.7 At a general meeting of the Club convened under rule 12.6:
 - 12.7.1 no business other than the question of the appeal shall be transacted;
 - 12.7.2 the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
 - 12.7.3 the member shall be given an opportunity to be heard; and

12.7.4 the members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.

12.8 If at the general meeting:

12.8.1 a simple majority of members vote in person in favour of the confirmation of the resolution, the resolution is confirmed; and

12.8.2 in any other case, the resolution is revoked.

12.9 In the event that the members vote at the general meeting to revoke the resolution of the Committee, the members present may by simple majority determine that, based only on the information before them at the meeting, the member has refused or neglected to comply with these rules or has been guilty of conduct unbecoming of a member or prejudicial to the interests of the Club and substitute an appropriate sanction in place of the sanction determined by the Committee.

13 DISPUTES AND MEDIATION

13.1 The grievance procedure set out in this rule applies to disputes under these rules between:

13.1.1 a member and another member; and

13.1.2 a member and the Club.

13.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within fourteen days after the dispute comes to the attention of all of the parties.

13.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within ten days, hold a meeting in the presence of a mediator.

13.4 The mediator must be:

13.4.1 a person chosen by agreement between the parties; or

13.4.2 in the absence of agreement:

13.4.2.1 in the case of a dispute between a member and another member, a person appointed by the Committee; or

13.4.2.2 in the case of a dispute between a member and the Club, a person who is a mediator appointed or employed by the Dispute

Settlement Centre of Victoria (Department of Justice).

- 13.5 A member of the Club can be a mediator.
- 13.6 The mediator cannot be a member who is a party to the dispute.
- 13.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 13.8 The mediator, in conducting the mediation, must:
 - 13.8.1 give the parties to the mediation process every opportunity to be heard;
 - 13.8.2 allow due consideration by all parties of any written statement submitted by any party; and
 - 13.8.3 ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 13.9 The mediator must not determine the dispute.
- 13.10 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute at law.
- 13.11 If a member ceases to be a member for any reason (including as a result of disciplinary action in accordance with rule 12), the member shall remain liable to pay any fee due at the time that membership ceases and shall not be entitled to any refund of any fee paid in advance, unless otherwise determined by the Committee.

14 FEES

- 14.1 Subject to these rules, the application fee, entrance fee and annual membership fee for each category of membership shall be determined by the Committee from time to time, and the Committee shall be at liberty to determine that there shall be no application or entrance or annual membership fee or no such fee/s for any particular category of membership.
- 14.2 In cases of financial hardship, the Committee may determine that any particular member may be relieved from payment of any application or entrance or annual membership fee or any part thereof.
- 14.3 All annual membership fees shall be due and payable by 1 November in every year.
- 14.4 Subject to the following rule 14.5 if a member fails to pay a relevant fee within one month of it becoming due, the defaulting member shall cease to be a member and shall cease

to be entitled to any of the privileges of membership.

- 14.5 The Committee may, at its discretion, grant extensions of time for payment of fees for all members or particular members, and may reinstate a member who has ceased to be a member by virtue of the previous rule 14.4 upon payment of outstanding fees without the requirement for the ceased member to reapply for membership.
- 14.6 The Committee may determine that all members or particular members may pay fees by instalments.
- 14.7 Honorary life members shall not be required to pay annual membership fees.

15 CALLS

- 15.1 The Committee shall have power to make calls upon members or categories of members for a particular sum.
- 15.2 The Committee shall determine the terms for payment of each call.
- 15.3 A call shall be a “fee” for the purposes of these rules and non-payment of a call by any member shall be subject to the provisions of rule 14.4.

16 FUNDS

The funds of the Club shall be derived from fees, donations, grants, sponsorship and such other sources as the Committee determines.

17 PAYMENTS

All payments on behalf of the Club shall be made by such methods as authorised by the Committee and may include credit card, cheque, or any other means.

18 ANNUAL GENERAL MEETINGS

- 18.1 There shall be an annual general meeting held by the last week of May in each year on such day and at such place as the Committee determines.
- 18.2 The annual general meeting shall be specified as such in the notice convening it.
- 18.3 The ordinary business of the annual general meeting shall be:

- 18.3.1 to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - 18.3.2 to receive from the Committee reports upon the transactions of the Club during the last preceding financial year;
 - 18.3.3 to receive and consider the financial statement submitted by the Club in accordance with the relevant legislation;
 - 18.3.4 to elect the officers and ordinary committee members, in accordance with rule 24; and
 - 18.3.5 to declare the outcome of the election, and conduct a ballot if required for members of the Committee in accordance with these rules.
- 18.4 The annual general meeting may transact special business of which notice is given in accordance with these rules.
- 18.5 The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

19 SPECIAL GENERAL MEETINGS

- 19.1 All general meetings other than the annual general meeting shall be called special general meetings.
- 19.2 The Committee may, whenever it thinks fit, convene a special general meeting.
- 19.3 If, but for this sub-rule, more than 18 months would elapse between annual general meetings, the Committee must convene a special general meeting before the expiration of that period.
- 19.4 The Committee shall, on the requisition in writing of 20 members whom are entitled to vote at meetings, convene a special general meeting of the Club.
- 19.5 The requisition for a special general meeting shall state the business of the meeting and shall include the names and signatures of the members making the requisition and be delivered to the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.
- 19.6 If the Committee does not cause a special general meeting to be held within six weeks after the date on which the requisition is delivered to the Secretary, the members making the requisition, or any of them, may convene a special general meeting to be held not later than three months after the date on which the requisition is delivered.

- 19.7 A special general meeting convened by members in pursuance of these rules shall be convened in the same manner as near as possible as general meetings convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Club to the persons incurring the expenses.

20 NOTICE OF MEETINGS

- 20.1 The Secretary shall, at least twenty-one days before the date fixed for holding a general meeting, cause a notice of the meeting to be delivered to all members eligible to vote.
- 20.2 For the purposes of rule 20.1 a notice may be delivered by post or by email or facsimile or by posting the notice on the website of the Club.
- 20.3 The notice of general meeting shall state the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 20.4 No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- 20.5 A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary at least twenty-eight days prior to the meeting, and the Secretary shall include that business in the notice calling the next general meeting after the receipt of the notice.

21 PROCEEDINGS AT MEETINGS

- 21.1 All business that is transacted at a special general meeting and all business that is transacted at the annual general meeting, with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting, shall be deemed to be special business.
- 21.2 No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.
- 21.3 Twenty members present personally or by proxy (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- 21.4 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 the same day in the next week at the same time and at the same place – unless another place or time is specified by the Chairman at the time of the adjournment and by notice (refer Rule

20.2) to members given before the day to which the meeting is adjourned – and 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 personally or by proxy (being not less than ten) shall be a quorum.

- 21.5 The President, or in his/her absence, the Vice-President, shall preside as Chairman at each general meeting of the Club.
- 21.6 If the President and the Vice-President are absent from a general meeting, the members present shall elect one of their number to preside as Chairman at the meeting.
- 21.7 The Chairman of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting to a time and place agreed by the meeting, but no business shall be transacted at an adjourned meeting other than business left unfinished at the meeting at which the adjournment took place.
- 21.8 Where a meeting is adjourned for fourteen days or more, a notice of the adjourned meeting shall be given as in the case of the general meeting.
- 21.9 Except as provided in rule 21.8, or when the time and place for the adjourned meeting is not agreed upon at the meeting, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
- 21.10 A question arising at a general meeting of the Club shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by 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 Club is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
- 21.11 Upon any question arising at a general meeting of the Club, a member has one vote only.
- 21.12 All votes shall be given personally or by proxy.
- 21.13 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.
- 21.14 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.
- 21.15 A member is not entitled to vote at any general meeting unless all fees due and payable to the Club have been paid.

22 PROXIES

- 22.1 Each member is entitled to appoint another member (which other member shall be entitled to vote at meetings) as a proxy.
- 22.2 The notice appointing the proxy must be on a form approved by the Committee.

23 COMMITTEE OF MANAGEMENT

- 23.1 The affairs of the Club shall be managed by the committee of management, also known as the Executive Committee.
- 23.2 The committee:
- 23.2.1 shall control and manage the business and affairs of the Club;
 - 23.2.2 may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Club; and
 - 23.2.3 subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the Club.
- 23.3 The committee shall consist of:
- the officers of the Club being:
 - a President;
 - a Vice-President;
 - a Treasurer; and
 - a Secretary; and
 - up to eight ordinary members each of whom shall be elected at the annual general meeting of the Club in each year.
- 23.4 No member of the committee, or any other officer or servant of the Club, will receive any payment of any amount by way of commission or allowance from the receipts of the Club for the supply of liquor.

24 ELECTION OF OFFICERS AND ORDINARY COMMITTEE MEMBERS

- 24.1 The election for Committee Members shall take place each year at the Annual General Meeting in the following manner:
- 24.2 The chair shall first call for nominations for the Officers set out in sub-Rule 23.3 in the order set out in that sub-Rule and then for up to eight ordinary committee members.
- 24.3 The election for each Officer shall be completed prior to the calling for nominations for the next Officer.
- 24.4 Any Member of the Committee can nominate any other Member of the Committee for any Office.
- 24.5 If only one person is nominated for any Office, then that person shall be elected.
- 24.6 If more than one person is nominated for any Office, then an election shall be held.
- 24.7 Members shall cast their votes for a candidate in such manner as agreed by the Committee.
- 24.8 The chair shall count the votes in the presence of the meeting.
- 24.9 The candidate receiving the highest number of votes shall be the successful candidate.
- 24.10 If two or more candidates receive the same number of votes the chair shall determine by lot who shall be the successful candidate.
- 24.11 Each member of the committee of management that is elected at the Annual General Meeting in accordance with clauses 24.2 to 24.10 is elected for a period of 12 months from the date of his or her election.

25 VACANCIES

- 25.1 The office of an officer of the Club, or of an ordinary member of the committee, becomes vacant if the officer or member:
 - 25.2 ceases to be a member of the Club; or
 - 25.3 resigns from office by notice in writing given to the Secretary; or
 - 25.4 is removed in accordance with rule 35; or
 - 25.5 has his/her office vacated as a result of a disciplinary action in accordance with rule 12.

26 CASUAL VACANCIES

- 26.1 In the event of a casual vacancy in the position of an office bearer, the committee may appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment and shall be eligible for re-election.
- 26.2 In the event of a casual vacancy occurring in the office of an ordinary member of the committee, the committee may appoint a member who is eligible to vote to fill the vacancy and the member appointed shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment and is eligible for election.

27 MEETINGS OF THE COMMITTEE

- 27.1 The committee must meet at least 3 times in each year at such place and such times as the committee may determine.
- 27.2 Special meetings of the committee may be convened by the President or by any 4 members of the committee.

28 NOTICE OF COMMITTEE MEETINGS

- 28.1 Reasonable notice of each committee meeting must be given to each member of the committee before the date of the meeting.
- 28.2 Reasonable notice must be given to members of the committee of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

29 QUORUM FOR COMMITTEE MEETINGS

- 29.1 Any 4 members of the committee constitute a quorum for the conduct of the business of a meeting of the committee.
- 29.2 No business may be conducted unless a quorum is present.
- 29.3 If within half an hour of the time appointed for the meeting a quorum is not present:
 - 29.3.1 in the case of a special meeting- the meeting lapses;

29.3.2 in any other case- the meeting shall stand adjourned to the same place and the same time and day in the following week.

29.4 The committee may act notwithstanding any vacancy on the committee.

30 PRESIDING AT COMMITTEE MEETINGS

At meetings of the committee:

30.1 the President or, in the President's absence, the Vice-President presides; or

30.2 if the President and the Vice-President are absent, or are unable to preside, the committee members present must choose one of their number to preside.

31 VOTING AT COMMITTEE MEETINGS

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

31.2 Each member present at a meeting of the committee, or at a meeting of any sub-committee appointed by the committee (including the person presiding at the meeting), is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

32 REMOVAL OF COMMITTEE MEMBER

32.1 The Club in general meeting may, by resolution, remove any member of the committee before the expiration of the member's term of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned member.

32.2 In the event that a Committee Member is removed in accordance with the previous Rule 33.1, the removal of the Committee Member is not invalidated by the fact that the members did not appoint another member to the committee, and in the event that another member is not appointed to the committee, a casual vacancy shall exist for the committee position of the removed committee member.

32.3 A member who is the subject of a proposed resolution referred to in sub-rule 33.1 may make representations in writing to the Secretary or President of the Club (not exceeding a reasonable length) and may request that the representations be provided to the members of the Club.

32.4 The Secretary or the President may give a copy of the representations to each member of the Club or, if they are not so given, the member may require that they be read out at

the meeting.

33 MINUTES OF MEETINGS

- 33.1 The Secretary of the Club must keep minutes of the resolutions and proceedings of each general meeting, and each committee meeting, together with a record of the names of persons present at committee meetings.

34 SUB-COMMITTEES

- 34.1 The Committee may from time to time appoint any Sub-Committees consisting of persons who are Members and may delegate to the Sub-Committees such of the powers or duties of the Committee as the Committee may determine.
- 34.2 The Committee may recall or revoke any appointment or delegation made in accordance with Rule 35.1 The business of Sub-Committees shall be conducted in accordance with the direction of the Committee and Sub-Committees shall conform to any directions or regulations that may be prescribed by the Committee.
- 34.3 All Sub-Committees shall report to the Committee and decisions of a Sub-Committee shall be subject to confirmation of the Committee except where the Sub-Committee has been given express power to act by the Committee.
- 34.4 The President shall be an ex-officio Member of all Sub-Committees.

35 INDEMNITY

- 35.1 No Committee Members shall be liable to the Club for any loss or expense not applicable to his own dishonesty or to the wilful commission by him of an act known by him to be a breach of trust or breach of duty.
- 35.2 To the full extent allowed by the law, the Committee and each Committee Member shall be indemnified by the Club from and against any liability, loss or damage caused to or incurred by the Committee or Committee Member by reason of the bona fide exercise by the Committee and each Committee Member of any of the duties, powers or privileges conferred or imposed on them by these Rules or any amendment thereof.

36 COMMISSIONS, ALLOWANCES AND REMUNERATION

- 36.1 No Committee Member, Member, employee or agent of the Club may receive any payment of any amount by way of commission or allowance from the Club's receipts for the supply of liquor.

- 36.2 No Committee Member shall be paid any remuneration or commission for their services to the Club, but the Committee shall have the power to grant an honorarium to a Committee Member of such amount as it deems appropriate.
- 36.3 No Member shall receive any dividend or profit whatsoever from the Club other than:
- 36.3.1 remuneration for services or product provided; or
 - 36.3.2 honorarium for work done as approved by the Committee in accordance with these Rules; or
 - 36.3.3 salary or wages paid to employees; or
 - 36.3.4 reimbursements of legitimate expenses incurred on behalf of the Club with the approval of the Committee.

37 ALTERATION OF RULES AND STATEMENT OF PURPOSES

- 37.1 No alteration or addition to these Rules and statement of purposes shall be made except by means of a special resolution at a Meeting where twenty-one days notice of the intention to propose the resolution has been forwarded to each Member.
- 37.2 The resolution of the Meeting shall require a majority of three-quarters of the Members present and voting to be passed.
- 37.3 An alteration of the statement of purposes or the Rules does not take effect unless and until it is approved by the relevant authority.

38 NOTICES

- 38.1 Unless otherwise provided in these Rules, a notice may be served by or on behalf of the Club upon any Member either personally or by sending it by post or e-mail or facsimile to the Member at his/her address and/or telephone number shown in the register of Members.
- 38.2 Where a document is properly addressed and posted to a person as a letter, 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.

39 WINDING UP

In the event of the winding up or the cancellation of the incorporation of the Club, the assets of the Club must be disposed of in accordance with the provisions of the Act.

(Explanatory note: This means the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any club with similar purposes, that is not carried on for the profit or gain of its individual members).

40 CUSTODY AND INSPECTION OF BOOKS AND RECORDS

- 40.1 Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, registers, documents and securities of the Club, that may be maintained in an electronic format including, but not limited to, database and spreadsheets.
- 40.2 All accounts, books, securities and any other relevant documents of the Club must be available for inspection free of charge by any member upon request.
- 40.3 A member may make a copy of any accounts, books, securities and any other relevant documents of the Club, subject to the Privacy Act 2003.

REVIEW NOTES

Amendments - AGM 21 July 2014:

That the definition of “financial year” in clause 3 of the Rules be amended as follows:

“financial year” means the year ending on ~~31 May~~ 30 June;

That clause 18.1 of the Rules be amended as follows:

There shall be an annual general meeting held by the last week of ~~June~~ July in each year on such day and at such place as the Committee determines.

Amendments Requested by Consumer Affairs Victoria – 20 August 2014

Act means the ~~Associations Incorporation Act 1981~~ Associations Incorporation Reform Act 2012;

Amendments – AGM 30 July 2015

That the definition of “financial year” in clause 3 of the Rules be amended as follows:

“financial year” means the year ending on ~~30 June~~ 30 April;

That clause 18.1 of the Rules be amended as follows:

There shall be an annual general meeting held by the last week of ~~July~~ May in each year on such day and at such place as the Committee determines.

Amendments – AGM 25 May 2016

New clause 9.2:

A social member, except a social member who is a member by reason of clause 9.7 will have all the rights of a senior member, save that:

she or he is not entitled to vote at the annual general meeting or a special general meeting of the Club; and

she or he will not be counted when determining quorum for the purposes of clause 21.3.

Clauses 9.2 to 9.5 be renumbered to be clauses 9.3 to 9.6.

New clauses 9.7 to 9.9:

Each member of any opposition team that is named to play in a game at either Brunswick Street Oval or Alfred Crescent on any day when the Club is the

designated home team, shall be a social member of the Club for the duration of the day on which that game is played.

Each parent, sibling, spouse, partner or any other family member or friend of any senior or junior member who is named to play or who plays at either Brunswick Street Oval or Alfred Crescent in a game sanctioned by any association of which the Club is a member, shall be a social member of the Club for the duration of the day on which the game is played.

Any social member that is a member of the Club by reason of the clauses 9.7 or 9.8 will not be required to comply with the requirements of clauses 9.3 to 9.5.

New clauses 9A.1 and 9A.2:

9A.1 A visitor to the Club must not be supplied with liquor in the Club premises unless the visitor is a guest in the company of a member of the Club

9A.2 The Club will maintain a register of guests to the Club.

New clause 23.4:

No member of the committee, or any other officer or servant of the Club, will receive any payment of any amount by way of commission or allowance from the receipts of the Club for the supply of liquor.

New clause 24.11:

24.11 Each member of the committee of management that is elected at the Annual General Meeting in accordance with clauses 24.2 to 24.10 is elected for a period of 12 months from the date of his or her election.