



Baden Powell Cricket Club Inc. Constitution



THESE ARE THE RULES OF THE
BADEN POWELL CRICKET CLUB INCORPORATED
AS ADOPTED ON THE _____

SIGNATURE OF PUBLIC OFFICER

PRINT NAME OF PUBLIC OFFICER

POSITION OF PUBLIC OFFICER



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CONSTITUTION OF

BADEN POWELL CRICKET CLUB INCORPORATED

1. NAME

- (a) The name of the Incorporated Club is the BADEN POWELL CRICKET CLUB INCORPORATED (hereinafter called “the Club”) and:
- (b) Its colours shall be red and white:
- (c) Its registered office shall be at the Overport Park Pavilion, Overport Road, Frankston, Victoria or at such other place as shall from time to time be determined by General Meeting.

2. INTERPRETATION

- (a) In these Rules, unless the contrary intention appears:
 - “Committee” means the Committee of the Club as set out in rule 19.
 - “Financial Year” means the year ending 30th April.
 - “General Meeting” means a general meeting of members convened in accordance with Rule 8 and/or Rule 11.
 - “Member” means a financial member of the Club regardless of category of Membership.
 - “The Act” means the Associations Incorporation Act 1981.
 - “The Regulations” means regulations under the Act.
 - “Club” means Baden Powell Cricket Club Incorporated.
- (b) In these Rules, a reference to the Secretary of the Club is a reference:
 - (i) to a person who holds office under these Rules as Secretary of the Club to that person:
 - (ii) in any other case, to the public officer of the Club.
- (c) Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the Act as in force from



time to time and words importing the masculine gender include the feminine gender or vice versa.

3. MEMBERSHIP

- (a) Any natural person who has been approved for membership as provided for in these Rules is eligible to be a member of the Club (hereinafter called a "Member") on payment of such entrance fee, annual subscription and levy as is payable under these Rules. The "Senior Member" categories shall be the only categories of membership entitled to vote.
- (b) The following are the Membership Categories of the Club:
 - (i) Senior Playing Member
 - (ii) Senior Life Member
 - (iii) Senior Social Member
 - (iv) Honorary Member
 - (v) Junior Playing Member
 - (vi) Parent Member (Parents/Legal Guardians of Junior Playing Members)
- (c) The approval for membership of the Club shall be made by the president of the club.
- (d) Each new member of the Club shall be approved by the Committee or President. Upon approval, the Secretary shall register or transfer (whichever is appropriate) the Player to the Club through the Association portal (MyCricket).
- (e) The Secretary shall, upon receipt of the confirmation of registration from the Association enter the nominee's name in the register of members kept by him. Once this action has been completed the member will have the ability to exercise their rights as a member of the club.
- (f) A right, privilege, or obligation of a member by reason of membership of the Club terminates upon the cessation of his membership whether by death or resignation or upon termination of membership and cannot be transferred to another person.
- (g) The Committee may from time to time create various other categories of membership (provided that the only categories of "Senior Member" shall entitle the member voting rights) and may from time to time recommend the fees payable with respect to each category so created.

4. ENTRANCE FEE, ANNUAL SUBSCRIPTION AND LEVY

- (a) Annual subscription (and the date for payment thereof) and any levy deemed necessary shall be determined by the Committee prior to the commencement of a season.
- (b) The annual subscription as determined by the Committee for the forthcoming year shall be presented as Ordinary Business at the Pre-Season General Meeting for adoption or variation.
- (c) A levy as determined by the Committee shall be binding on all applicable members as per the powers invested in the Board in 13.



- (d) A reduced levy maybe determined by the President or Registrar in exceptional circumstances at the Presidents discretion.
- (e) A payment plan as agreed between the player and the club is allowable for the payment of membership.
- (f) A Member of the Club will be denied certain rights until full payment owing is received in the current season (or previous seasons).
 - (i) A Junior Member will not be available for selection if the full annual subscription is not paid by the November 30, unless other arrangements or payments have been authorised by the President or Registrar.
 - (ii) A Senior Member will not be available for selection if the full annual subscription is not paid by November 30, unless other arrangements or payments have been authorised by the President or Registrar.
 - (iii) No voting rights at any general meetings and at the following Annual General Meeting if any monies owed by November 30, unless other arrangements or payments have been authorised by the Committee.

5. REGISTER OF MEMBERS

- (a) The Secretary shall have access to an electronic register of Members in which shall be entered the full details, address and date of entry and the names of each member.
- (b) The register shall be available for inspection by financial members of the club. A financial member may request a copy of it with 7 days' notice to the secretary. The register shall be provided in electronic format.
- (c) A registrar may be appointed to manage player memberships at the discretion of the President.

6. RESIGNATION OF MEMBERSHIP

- (a) A member may resign by giving notice to the Club but such resignation shall not relieve the member from liabilities for any debts then due by the member to the Club nor any liability legally attached to the member by being a member of the Club until such time of resignation;
- (b) Player must present to the committee why a clearance is required if going to another M.P.C.A. club
- (c) Any player who has any outstanding debts owing to the club shall not be granted permission by the club to play with another club until all outstanding debts to the club are paid.
- (d) Upon resignation, a member shall forfeit all claims to assets that may have accumulated during the time of Membership and shall not be entitled to claim a refund of pre-paid fees, levies or charges.

7. TERMINATION OF MEMBERSHIP

- (a) The Committee may in its absolute discretion present to the Board a Special Resolution to terminate or suspend the membership of a Member;



- (b) The only grounds for such a Special Resolution shall be:
 - (i) Continued failure to pay outstanding debts incurred with or duly levied by the Club.
 - (ii) Behaviour by the member of a nature deemed to bring the Club into disrepute.
 - (iii) Continued failure to meet playing commitments.
- (c) Before presenting a Special Resolution to terminate the Membership of a Member based on 7(b), the Committee must have taken reasonable steps to counsel the Member and to have notified the Member by giving 7 days' notice of the Membership Committee's intention to move such termination or suspension stating the reasons why. This can be undertaken via email.
- (d) Such Special Resolution shall require a voting majority of 80% of Committee Members to be carried at a meeting no later than 28 days after counselling the member.
- (e) The member in question must be notified of this meeting and be able to address this meeting.

8. ANNUAL GENERAL MEETING

- (a) The Club shall in each calendar year convene an Annual General Meeting of its Members;
- (b) The Annual General Meeting shall be held on such a day as the Board determines but shall in each year be held no later than the 30th June.
- (c) The Annual General Meeting shall be specified as such in the notice convening it;
- (d) The ordinary business of the Annual General Meeting shall be:
 - (i) To confirm the minutes of the preceding Annual General Meeting and of any general meeting held since that meeting;
 - (ii) To receive from the Treasurer, reports of the transactions of the Club during the last preceding financial year;
 - (iii) To elect all board positions and general Committee Members of the Club;
 - (iv) To receive and consider the statement submitted by the Club in accordance with Section 25 of this document;
- (e) The Annual General Meeting may transact special business of which notice is given a minimum of 7 days prior to the meeting, in accordance with these Rules.
- (f) The Annual General Meeting shall be held in addition to any other Special General Meetings that may be held in the same year.
- (g) A president's report shall be presented at the Annual General Meeting.
- (h) A financial report from the Treasurer.
- (i) Financial Members will only be permitted to ask questions in relation to presented reports voting and procedures.



9. NOTICE OF GENERAL MEETINGS

- (a) A minimum of 14 days notice (exclusion of the day which the notice is served but inclusive of the day for which the notice is given) specifying the place, the day and the hour of the meeting and in the case of Special General Meetings the general nature of the business to be transacted which may be in the form of a Special Resolution or ordinary Resolution shall be given in writing to all members.
- (b) The accidental omission to give notice of a meeting to, or the non receipt of a Notice of Meeting by any Member shall not invalidate the proceedings at any meeting.
- (c) At a Special General Meeting the only business to be transacted shall be that business as is generally notified in the Notice of Meeting.
- (d) Notice for the abovementioned meetings may be done via an electronic medium including but not limited to, email, website posts (on official Baden Powell Cricket Club website), and any other social media medium (such as but not limited to Facebook or Twitter).

10. SPECIAL GENERAL MEETINGS

- (a) All General Meetings other than the Annual General Meeting shall be called Special General Meeting.
- (b) The Committee may, whenever it thinks fit, convene a Special General Meeting of the Club.
- (c) The Committee shall, on the requisition in writing of not less than 20 financial members, convene a Special General Meeting of the Club.
- (d) The requisition for a Special General Meeting shall state the objects of the meeting and be signed by the members making the requisition and be sent to the address of the secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.
- (e) The Committee shall within 5 working days of receipt of such requisition forward the Notices of Meeting to the Members however if the Committee does not cause a Special General Meeting to be held within one month after the date on which the requisition is sent to the Secretary (electronically), the Members making the requisition, or any of them, may convene a Special General Meeting to be held not later than three months after that date.
- (f) A Special General Meeting convened by Members in pursuance of these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Club to the Members incurring the expenses.

11. PRE-SEASON SPECIAL GENERAL MEETING

- (a) Notwithstanding and subject to Rules 9(a, b, c), 10(a, b, c, d, e, f) & 11(a & b) a Special General Meeting known as the "Pre-Season Special General Meeting" shall be held after September one and no less than the last Thursday before the first M.P.C.A Home and Away game. At this Pre-Season Special General Meeting the following business, at least, shall be transacted.
- (b) Confirmation of Captains and Vice-Captains of all Senior teams with the exception of the 1st XI, as recommended and nominated by the Committee (in liaison with the



Club Coach and coaching staff). No nominations from the floor will be permitted at this time.

- (c) All nominations for Captain must be made 7 days prior to the Pre-Season Special General Meeting, and will be considered by the Committee and Coaching staff. In the event that there are two or more suitable nominations for captain of one team a vote will be called at the Pre-Season Special General Meeting.
 - (i) Suitable nominees will be determined at the discretion of the Committee.
 - (ii) Only players nominated 7 days prior will be eligible for contention.

12. PROCEDURE AND PROCEEDINGS AT GENERAL MEETINGS

- (a)
 - (i) 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.
 - (ii) 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 when the meeting is considering that item.
 - (iii) A minimum of 20 eligible voters constitute a quorum for the transaction of the business of a General Meeting.
 - (iv) If within 15 minutes after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting if convened upon requisition of members shall be dissolved and any Special Resolution deemed lost. Any other meetings shall stand adjournment to the same day in the next week at the same time and (unless another place is specified by the President at the time of the adjournment or by an appropriate means including email to members given before the day to which the meeting is adjourned) at the same place. If at the adjourned meeting the quorum is not present within 15 minutes after the time appointed for the commencement of the meeting, the members present shall be the quorum. If no quorum, the process of adjournment will continue. Refer item 16 c (ii).
 - (v) No Special Resolution or resolution of like effect lost by virtue of the lack of a quorum by vote shall be re-introduced prior to the next Annual General Meeting.
- (b)
 - (i) The President, or in his absence, the Vice-President, shall reside as Chairman at each general meeting of the Club.
 - (ii) If the President and the Vice-President are absent from a general meeting, the voters present shall elect one of their members to preside as Chairman at the meeting.
- (c)



- (i) The Chairman of the General Meeting at which a quorum is present may with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjournment other than the business left unfinished at the meeting at which the adjournment took place.
 - (ii) Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of the General Meeting.
 - (iii) Except as provided in sub-clauses (a) & (b), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
- (d)
- (i) A motion 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 in favour of, or against, that resolution.
 - (ii) No person shall be entitled to vote at a General Meeting other than a Senior Member. Upon any question at a general meeting of the Club a member has one vote only except the Chairman who has a second or casting vote.
 - (iii) All votes shall be given personally or by proxy. Any member choosing to vote by proxy shall email the Secretary and President at least 24 hours prior to the meeting to cast their vote.
 - (iv) In the case of the equality of voting on a question, a recount or re vote can be requested and if the result remains the Chairman of the meeting is entitled to exercise a second or casting vote.
 - (v) If at a meeting a poll of any question is demanded by not less than 3 voters, 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.
 - (vi) 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.
- (e)
- (i) A Member is not entitled to a vote at any General Meeting unless all monies due and payable by such member to the Club have been paid before November 30.
 - (ii) Any Member of the Board of Directors referred to in paragraph 18 shall whilst he holds office be entitled to be heard at a General Meeting.



13. COMMITTEE

- (a) The affairs of the Club shall be managed by a Committee constituted as provided in this rule.
- (b) The Board:
 - (i) shall control and manage the business and affairs of the Club;
 - (ii) may, subject to these rules, the regulations and the Act, 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
 - (iii) subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to the Board to be essential for the proper management of the business and affairs of the Club provided that the Board is not empowered to purchase assets or incur liabilities of individual project or commitment value greater than \$5,000 or such figure as may be determined from time to time by General Meeting without prior approval by a General Meeting.
- (c) The Board may appoint various sub committees from time to time to assist in the operation of the Club with responsibility to the committee in their various fields. All such sub committees must be chaired by a Member of the committee.
- (d) Sub committees shall deal with all matters that may from time to time be delegated by the committee but shall be limited at all times by the specific powers vested in such committee by the committee in accordance with these rules.

14. BOARD OF DIRECTORS

- (a) The Board of Directors of the Club shall be:
 - (i) President;
 - (ii) Vice President;
 - (iii) Honorary Secretary;
 - (iv) Honorary Treasurer;
 - (v) No more than 10 ordinary committee members for a total board of no more than 14 Directors.
- (b) The provisions of Rule 13 & 14 so far as they are applicable and with all necessary modification, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause (a).
- (c) Each Director of the Club shall hold office until the Annual General Meeting next after the date of his election but is eligible for re-election.
- (d) In the event of a casual vacancy in any office referred to in sub-clause (a) the committee may appoint a substitute to the vacant office and the person so appointed may continue until the Annual General Meeting next following the date of his appointment. Where appropriate, the committee may consider person who are



nominated for but unsuccessful in being elected for that position at the previous General Meeting.

15. ELECTION OF THE COMMITTEE

- (a) Nominations of candidates for election as officers of the Club shall be provided via email to the Secretary with confirmation from 2 members of the Club and accompanied by the consent of the candidate. Email nominations must be received at least 24 hours prior to the scheduled commencement time of the Annual General Meeting.
- (b) 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 from the floor at the Annual General Meeting.
- (c) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (d) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- (e) The ballot for the election of officers shall be conducted at the Annual General Meeting in such usual and proper manner as the Chairman may direct.

16. VACANCY ON THE BOARD

- (a) For the purposes of these Rules, the office of an Officer of the Club becomes vacant if the Officer becomes insolvent or under administration within the meaning of the Companies code; or
- (b) Resigns his office by notice in writing given to the Secretary; or
- (c) holds any office of profit with the Club PROVIDED THAT an honorarium and/or refund of expenses paid to an officer shall not disqualify him from so holding office; or
- (d) becomes bankrupt; or
- (e) becomes prohibited from being a Director of a Company by reason of an Order made under any provision of the Companies Act either State or Commonwealth; or
- (f) becomes of unsound mind; or
- (g) is sentenced to imprisonment by a court; or
- (h) if without permission of the Board absents himself for more than 25% of Board Meetings in any one year; or
- (i) does not advise the Board of any pecuniary interest in any contract with the Club; or
- (j) Ceases to be a member or becomes unfinancial.

17. PROCEDURE OF THE COMMITTEE

- (a) The committee shall meet from time to time in each year at such place and such times as the Board of Directors.



- (b) Meetings of the committee may be convened by the President or by any 2 of the members of the Board.
- (c) Any 6 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (d) No business shall be transacted 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 shall stand adjourned to the same place at the same hour of the same day in the following week.
- (e) At meetings of the committee:
 - (i) the President or in his absence the Vice-President shall preside;
 - (ii) if the President and the Vice-President are both absent, such one of the remaining members of the committee as may be chosen by the committee members present shall preside.
- (f) Questions arising at a meeting of the committee shall be determined on a show of hands, or if demanded by a committee Member, by poll taken in such a manner as the person presiding at the meeting may determine.
- (g) Each committee member present at a meeting of 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.
- (h) Subject to Sub-clause (c) the committee may act notwithstanding any vacancy on the committee and may also act to increase their numbers pursuant to Clause 18(a) (provided all existing committee Members must be present to elect a substitute member).
- (i) No resolution passed by the committee shall be altered or rescinded unless by unanimous consent of the committee members present at the same meeting or except upon notice in writing of the intention to move a Rescinding Resolution being given at a subsequent meeting of the committee prior to the date on which the meeting to alter or rescind such resolution is held.
- (j) A member of the committee shall not vote on any matter in which he has a pecuniary interest in the business at hand.

18. DUTIES OF SECRETARY

- (a) The Secretary of the Club shall keep minutes of the resolutions and proceedings of each General Meeting and each Board meeting electronically. The electronic documents shall include a record of the names of persons present at General and Board meetings.
- (b) The Secretary shall within one month of the Annual General Meeting lodge an Annual Statement to the Registrar of Consumer Affairs Victoria on behalf of the current Public Officer of the Club.
- (c) The Secretary shall also undertake duties as directed by the President.

19. DUTIES OF TREASURER

- (a) The Treasurer of the Club:



- (i) shall collect and receive all monies due to the Club and make all payments authorised by the Club; and
- (ii) shall keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club; and
- (iii) shall present up to date Statements to the committee from time to time as requested and shall present a final Statement of finances in an appropriate format to the Annual General Meeting.
- (iv) The accounts and books referred to in sub clause (a) shall be available for inspection by members with 7 days' notice to the treasurer.
- (v) Any inspection shall be done electronically.

20. REMOVAL OF A COMMITTEE MEMBER

- (a) The Club in Special General Meeting may by resolution remove any member of the committee before the expiration of his term of office and appoint another member in his stead to hold office until the expiration of the term of the first mentioned member. The first mentioned member will be entitled to address the meeting

21. BANKING & EFTPOS

- (a) There shall be 3 signatories for the club's "MAIN" account and also for any ancillary investment style accounts. These accounts may include but are not limited to cheque accounts, electronic accounts, and internet banking. The President, Treasurer, and Secretary shall be the 3 signatories of all banking accounts for the Club.
- (b) No less than 3 signatories will be permitted. In the event that one of the abovementioned positions is not held, or it is not practicable, the Vice President or Junior Vice President shall be given these rights.
- (c) Access shall be granted to the 3 signatories to the internet banking for the club's accounts.
- (d) All transactions (including electronic transactions) must be authorised by 2 signatories. Under no circumstances shall a transaction take place without being authorised by 2 signatories. At least one of whom shall be the President, Vice-President, Honorary Treasurer or Honorary Secretary.
- (e) The club will hold a Debit card account for the purpose of miscellaneous week-to-week purchases. The Treasurer will maintain a sufficient balance within this account to cater for regular supply purchases. The Board will agree on an amount to be held in this Debit Account. Should this amount be altered (up or down in value) then this must be approved by the President and noted in the minutes of the next General Meeting. There will be 2 committee members assigned and approved to hold and use this debit card.
- (f) EFTPOS Facilities (for INCOMING funds) if provided shall be available for all club transactions and cash out. The procedure for EFTPOS transactions shall be endorsed by the committee and made available to all authorised users. A list of authorised EFTPOS users shall be determined by the committee and should include although not limited to The President, Honorary Treasurer, and Honorary Secretary. Transactions can only be made by an authorised EFTPOS user.



22. THE INTERNET

- (a) The internet shall be used as a communication method to all members and the association.
- (b) Members shall conduct themselves with the best interests of the club in mind when using any social media source. For further detail see 41(c); Appendix C - SOCIAL MEDIA COMMUNICATION POLICY
- (c) In the event that a member brings the club into disrepute over an internet related indiscretion, the club shall initiate Item 39 of these rules.

23. ALTERATION OF RULES AND STATEMENT OF PURPOSES

- (a) The rules and Statement of Purposes of the Club shall not be altered except in accordance with the Act and while and so long as the Club is licensed under the Liquor Control Act 1968 the Secretary shall within one month of making any amendment or alteration in the rules of the Club forward to the Secretary of the Liquor Control Commission a certified copy of such alteration or amendment provided that no such alteration or amendment shall take effect unless and until the same is approved by the Commission.
- (b) The Secretary shall also submit within 1 month of making any amendment or alteration in the rules of the Club forward a copy to the Registrar at Consumer Affairs Victoria for their approval. The Club cannot act using the amended rules until the Rules change has been approved in writing by Consumer Affairs Victoria.
- (c) Any proposal for alterations to the rules must be in writing to the committee a minimum of 14 days prior to the Annual General Meeting or a Special General Meeting that is called for that purpose
- (d) A rule cannot be altered without 75% of the members at these meetings voting for the change.

24. SERVICE OF NOTICES

- (a) A notice may be served by or on behalf of the Club upon any member either personally or by sending it by post to the member at the address shown in the Register of Members.
- (b) if the member requests, by facsimile or electronic transmission
- (c) Where a document is properly addressed pre-paid and posted to a member as a letter, or delivered by facsimile or electronic transmission, the document shall, unless the contrary is proved, be deemed to have been given to the member at the time at which the letter would have been delivered in the ordinary course of post.

25. DISPOSAL OF ASSETS

- (a) In the event of the winding up or the cancellation of the incorporation of the Club the assets of the Club shall be disposed of in accordance with the provisions of the Act.

26. CUSTODY OF BOOKS

- (a) Except as otherwise provided in these Rules, the Secretary shall keep in his custody or under his control, all books, documents and securities of the Club.



- (b) This can be electronically.
- (c) These items shall be available to all members for inspection.

27. SOURCE OF FUNDS

- (a) The funds of the Club shall be derived from annual subscriptions, levies, donations and such other sources as the Board determines.

28. GENERAL

- (a) The income and property of the Club whencesoever derived shall be applied solely towards to promotion of the objects of the Club as set forth and not part thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, gratuity or otherwise howsoever by way of profit to any member of the Club PROVIDED THAT nothing herein contained shall prevent the payment in good faith of remuneration to any officer or servant of the Club or to any member of the Club or other person for goods or services in the ordinary and usual way of business nor prevent the payment of interest on any money borrowed from or lawfully due to any member of the Club or the payment to any member for reasonable and proper rent for premises demised or let by that member to the Club AND FURTHER PROVIDED that no person shall receive a greater profit benefit or advantage form the Club than that received by every Member of the Club other than a remuneration or honorarium approved by the Liquor Control Commission (or by the committee where no license is held under the Liquor Control Act as amended) for work done by the Secretary, Treasurer or other officer of the Club or salary or wages paid to employees.

29. APPOINTMENT OF HONORARY OFFICERS

- (a) At the first committee Meeting after the Annual General Meeting the committee shall appoint an Honorary Auditor and such other Honorary Officers as it may deem advisable.

30. APPOINTMENT OF JUNIOR COACHES

- (a) Junior coaches to be appointed by the committee
- (b) Managers/coaches of junior teams will be the selectors for the junior teams.
- (c) Fees paid for coaching services to be determined by the committee.

31. APPOINTMENT OF SENIOR COACH

- (a) The senior club coach shall be elected by the committee following a detailed due diligence process in relation to the candidate.
- (b) The President or an elected person shall hold all negotiations with potential candidates.
- (c) Each appointed coach will be required to sign a coaching contract with the club.

32. APPOINTMENT OF PAID PLAYERS

- (a) The President or an elected person(s) shall hold all negotiations with potential candidates for paid positions within the club
- (b) The President or an elected person(s) shall receive confirmation from the committee prior to appointing any paid player.



- (i) The President or an elected person(s) shall ensure that any offer is within the budgetary constraints of the club.
- (ii) The President or an elected person(s) shall ensure the player suits the club and will have an appropriate role within the club.
- (c) Each appointed paid player will be required to sign a player contract with the club.

33. CAPTAINCY DUTIES

- (a) As a minimum, all elected captains must
 - (i) Attend regular training sessions.
 - (ii) Complete team sheets and scorebooks.
 - (iii) Care of club equipment allocated to his team.
 - (iv) Advising members of selection.
 - (v) Represent the club in the highest esteem.

34. SELECTION COMMITTEE

- (a) The committee may choose to elect a Chairman of selectors.
 - (i) He will be responsible for managing, maintaining and deliberating all selection decisions.
 - (ii) He must have an in-depth knowledge of all players within the club.
 - (iii) He must maintain a high level of integrity and assist all club captains in relation to selection.
 - (iv) He will be responsible for managing grievances and any game day matters (as practicable).
- (b) A selection committee shall include the club coach, the First XI Captain, the President (optional) the Chairman of selectors (if elected), and all senior club captains.
- (c) The selection committee shall meet each Thursday (or another day as agreed) prior to a match to determine selection for the match.

35. MPCA DELEGATE

- (a) The President shall elect a member of the committee to be the delegate of the club to the association.

36. LIFE MEMBERSHIP

- (a) Life Membership will be awarded to people as recognition of Meritorious Service and Achievement to the Baden Powell Cricket Club (as distinct from Club involvement). Life Membership is the highest Award available to recognise the exceptional contribution of individuals to the Baden Powell Cricket Club.



36.1 GENERAL CONSIDERATIONS

- (a) In considering the award of Life Membership an individual should have demonstrated significant, sustained and high quality service enhancing the reputation and future of the overall Club.
- (b) The points to be taken into account when considering any nomination should include:
 - (i) the general attitude and overall demeanour of the nominee to ensure that the attitude is one that reflects a dedication to the values of the Sports Club
 - (ii) commitment to the principals of good sportsmanship
 - (iii) valued leadership and good role modelling that reflects credit upon the Sports Club.
- (c) A maximum of TWO Life Memberships will be bestowed in any cricket season but the Club is not obliged to nominate a Life Membership every year.
- (d) Nominations for Life Membership must be made in writing (via email) to the President and Secretary no less than 30 days prior to an official Presentation Awards Night.
 - (i) Each nomination must have a seconder and the application must provide evidence in writing of why the member should be considered.
 - (ii) The Board convene and confirm if the nominee meets the criteria, if so, then carries out a vote. considering if the meritorious service of the nominee warrants such recognition;
- (e) The board create a summary of the member in question and present the nomination and the summary to all available Life Members by email or mail.
- (f) The Life Members study the documents and cast their vote (yes, no or abstain).
- (g) A minimum of 10 Life Members must respond to the request.
- (h) The Life Member votes and the board member votes are tallied together for the final result.
 - (i) 75% must be reached to pass the Life Membership.
 - (j) Should 10 Life Members not submit their votes then only the Board voting will be utilized.
- (k) Successful Life Memberships will be presented at the Presentation Night at the end of the season.
- (l) Life Members shall not be required to pay fees associated with membership.

36.2 GUIDELINES

- (a) Guidelines as to the eligibility of a person for consideration as a potential Life Member, as follows:



- (i) PLAYERS ONLY
 - (A) At least 15 years of senior representative cricket involvement.
 - (B) A Life Membership in this category is typically awarded after the player has retired from playing cricket unless the player has had significant involvement as an administrator. Such as being a member of the committee, coaching staff or under other exceptional circumstances as agreed by the President.
- (ii) PLAYER / ADMINISTRATORS
 - (A) At least 6 years involvement with adequate contributions both as a representative player and Association Administrator
- (iii) ADMINISTRATOR – At least 8 years as an Executive Member of the Committee
- (iv) SERVICE
 - (A) This category is intended to include all those who do not fit into categories i) to iii) above but who have in their own way made a major contribution to the functioning and well-being of the Club.
 - (B) This category could include people such as managers, scorers, coaches, junior co-ordinators, etc. and recommended involvement is at least 15 years.
- (b) The responsibility and control of Life Membership rests with the current President.
- (c) The object of providing the above guidelines is to ensure that any person who is awarded a Life Membership of the Baden Powell Cricket Club is a worthy recipient

37. APPEALS

- (a) Any financial member may appeal against a decision of a Committee or a sub committee.
- (b) Appeals shall be in writing and shall be lodged within 7 days of such decision with the Secretary or in his absence with the President, Vice-President or Honorary Treasurer.
- (c) No member of the legal profession shall represent a member at any appeal, however written legal opinion may be tendered in evidence.
- (d) Appeals against rulings of bodies subordinate to the committee shall be to the committee.
- (e) A financial member may ask the committee to reconsider a ruling affecting the member on the basis that:
 - (i) evidence not originally presented is available which may have reasonably affected the original decision; or
 - (ii) the member can demonstrate that an error in law or a ruling contrary to the Rules of the Club was made;



- (f) Appeals against rulings of the committee shall be to General Meetings by way of Special Resolution to rescind the committee ruling and shall in all respects comply with the Rules of the Club.
- (g) The appeal process undertaken by a member shall be limited to a single appeal only.

38. PROXIES

- (a) Each financial member is entitled to appoint another financial member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (b) The notice appointing the proxy must be:
 - (i) for a meeting of the Club, via email; or
 - (ii) in any other case.

39. DISCIPLINARY HEARINGS

- (a) A Disciplinary Hearing will be called by the Committee if a valid matter is raised concerning any Member of the Club.
- (b) The Committee may in its absolute discretion hold a meeting to discuss the actions of a Member;
- (c) The grounds for such a Disciplinary Hearing shall be:
 - (i) Continued failure to pay outstanding debts incurred with or duly levied by the Club;
 - (ii) Behaviour to the member of a nature deemed to bring the Club into disrepute.
 - (iii) Continued failure to meet playing commitments;
- (d) Before presenting a Meeting to discipline a Member based on 38(b) i, ii, iii the Committee must arrange an appropriate time in which the Member can present his case;
- (e) The Committee will pass judgment on the actions of the Member and if desired will pass on a penalty. This penalty will be in the form of either (i) formal written apology; (ii) monetary fine; (iii) suspension from playing matches. Such a resolution shall require a voting majority of 50% of Board Members present to be carried.
- (f) If the Member is not satisfied with the decision then there is provision to appeal as set out in 37.



40. STATEMENT OF PURPOSES

The purposes of the club are:

1. To foster, promote and manage the game of cricket and provide a social meeting place for senior and junior members of Baden Powell Cricket Club Incorporated, their friends and families.
 2. To organise teams both senior and junior, to organise cricket practice, maintain discipline of members both on and off the field of play at Club organised activities and to comply with the rules of the Mornington Peninsula Cricket Association Incorporated (M.P.C.A) or any other appropriate organising body.
-

Solely for the purpose of furthering the purposes set out above the Club shall have power:

- a. To subscribe to, become a member of and co-operate with any association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Club provided that the Club shall not subscribe to or support with its funds any club, association or organisation which does not prohibit or restrict the distribution of its income and property among its members to an extent at least as great as that imposed on the Club under or by virtue of the Rules.
- b. To buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Club or persons frequenting the Club premises.
- c. To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of or capable of being conveniently used in connection with, any of the objects of the Club:

Provided that in case the Club shall take or hold any property which may be subject to any trusts the Club shall only deal with the same in such manner as is allowed by law having regard to such trusts.
- d. To enter into any arrangements with Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club; to obtain from any such Government or Authority any rights, privileges and concessions which the Club may think it desirable to obtain; and carry out, exercise and comply with any such arrangements, right, privileges and concessions.
- e. To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Club.
- f. To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Club's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- g. To invest and deal with the money of the Club not immediately required in such manner as may from time to time be thought fit.
- h. To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.



41. APPENDIXES - CODES, POLICIES AND PROCEDURES

- (a) Appendix A – Baden Powell Cricket Club CODE OF CONDUCT
- (b) Appendix B – ALCOHOL AND DRUG POLICY
- (c) Appendix C – SOCIAL MEDIA COMMUNICATION POLICY



41.2 Appendix A – Baden Powell Cricket Club CODE OF CONDUCT

Player Code of Conduct

The image and reputation of any club is vital to its ongoing success and reflects the Club's standard within the community.

Our "Code of Conduct" sets the standard of the conduct required by Players, Members, Officials and Sponsors as representatives of the Baden Powell Cricket Club. The code is in place to protect all members and guest, so a safe and enjoyable environment is provided to all.

Club Members and Officials are expected to abide by our "Code of Conduct" while representing the club in any capacity (before, during and after a match or training and social functions).

1/ Members are expected to respect umpire, opposition players and supporters, our team mates and our members and supporters.

2/ Unsportsmanlike behaviour is unacceptable.

3/ Use of verbal or physical abuse is unacceptable.

4/ Use of obscene language is unacceptable

5/ Members will refrain from any form of harassment or discrimination including:

- Harassment or discrimination on the grounds of disability
- Sexual harassment or discrimination
- Racial harassment or discrimination
- Religious harassment or discrimination
- Bullying
- Vilification on the grounds of any of the above.

6/ Any member that causes the club to be fined as a result of their behaviour shall be required to compensate the club for the amount of the fine.

7/ The club uses social media (website & Facebook) as a means of communication; Members of the club are able to post comments and load photos on our forms of social media.

Any comments or photos posted that are deemed inappropriate or prejudicial to the best interests of the club will be deemed in breach of the code.

8/ Members are expected to take pride in our club rooms, change rooms and respect the furniture and fittings, prior to leaving the club rooms, members must ensure the area they or their guests have used is clean and tidy

9/ Members are expected to respect all club property, including training equipment

10/ Theft from the club or other members, either product or monies is totally unacceptable

11/ Members are responsible for the behaviour of any visitors, they introduce to the club.



12/ The club is a registered Goodsports club and as such practises the responsible service of alcohol ("RSA"). Members and their guests are expected to make their best endeavour to ensure the RSA requirements are complied with at all times.

13/ All members must make them aware and abide by the Baden Powell Cricket Club Alcohol and drug policy

14/ Members are expected to follow the reasonable direction of the committee person while utilising the club room facilities.

15/ Members are expected to make umpires, opposition players and supporters feel welcome when they are guests at our club at the end of a day's play

16/ Members are expected to play a part in developing and improving our culture as a club

17/ All senior players and supporters to be issued with a copy of the Baden Powell Cricket Club code of conduct, players to return a signed copy to the club secretary.

18/ The Baden Powell Cricket Club code of conduct document is to be displayed on the club social media platforms and displayed within the club rooms

Breaches of the policy

In the event that a breach of any of the above policies is brought to the attention of the club committee, the committee shall as soon as practicable after the incident/s meet and discuss the breaches.

Where necessary, the member and if required, the member's parent/s or guardian/s, will be required to attend before members of the club committee, or a disciplinary panel appointed by the club committee, to explain their behaviour.

A charge relating to a breach of the "Code of Conduct" can arise from a complaint (official or unofficial) made by any person.

This person can be a member of our club, opposing club member, umpire or a member of the general public.

Any complaint in the relation to the "Code of Conduct" should be direct to the club president.

The Baden Powell Cricket Club Committee may, by resolution, issue a written warning, suspend, or expel a member of the club (or not permit a person associated with the member from attending the club) that is found to have breached this policy. The Club Committee may also advise any relevant authority as deemed appropriate.

Member to complete details below, sign and return to the Secretary of the Baden Powell Cricket Club

By signing this form the member acknowledges and understands the Baden Powell Cricket Club "Code of Conduct" Policy



Members Name:

Address:

.....

Signature: Date:...../...../.....



41.3 Appendix B – ALCOHOL AND DRUG POLICY

INTRODUCTION

This policy covers the personal use of alcohol and illicit drugs, generally for recreational and social purposes.

It is acknowledged by the club committee that members may have prescribed drugs as part of a personal Health plan. Any prescribed drug must only be taken by the person that has been prescribed the drug. It will be deemed a breach of this policy should this be found otherwise.

COMMITMENT

The Baden Powell Cricket Club is committed to excellence on and off the playing arena, and to the health and well-being of all members. (Players, Officials and supporters)

The use of alcohol and other drugs is a major health and social issue in society today. The club will attempt at all times to minimise the harm arising from alcohol and other drug use, to promote health by encouraging to moderate and responsible use of alcohol and not tolerate the use of any illicit drug and excessive use of alcohol.

Members or their Guest under the influence

a member, or their guest participating in practices, matches, utilising the club facilities, attending any club function, that is under the influence of alcohol or illicit drugs are a danger to themselves and other members. The danger may be either physical through affected co-ordination or aggression through reduced emotional control. Excessive alcohol consumption by a player prior to a game or practice session can have a major impact on performance and decision making. There will be zero tolerance should any player turn up to a match or training session under the influence of alcohol or illicit drugs.

Alcohol consumption

Underage members will not be permitted to purchase or to consume alcohol under any circumstances. Members who are 18 or older will be permitted to purchase and consume alcohol when on club premises, visiting opposition venues, attending any social event or gathering, or any other sanctioned club event. Any person found buying alcohol for an underage person when on club premises, visiting opposition venues, attending any social event or gathering, or any other sanctioned club event will be in breach of this policy and face appropriate disciplinary action. Players are not permitted to consume alcohol at any stage during a game or practice session under any circumstances.

The club does not condone driving under the influence at any-time, members and guests are expected to maintain a lawful approach to the consumption of alcohol with the respect of driving.

The use of, promotion or selling of illicit drugs

No member shall be allowed to use, promote, or sell any illicit drugs when on club premises, visiting opposition venues, attending any social event or gathering, or any other sanctioned club event.

Breaches of the policy



in the event that a breach of any of the above policies is brought to the attention of the club committee, the committee shall as soon as practicable after the incident/s meet and discuss the breaches.

Where necessary, the member and if required, the member's parent/s or guardian/s, will be required to attend before members of the club committee, or a disciplinary panel appointed by the club committee, to explain their behaviour,

The Baden Powell Cricket Club Committee may, by resolution, issue a written warning, suspend, or expel a member of the club (or not permit a person associated with the member from attending the club) that is found to have breached this policy. The Club Committee may also advise any relevant authority as deemed appropriate.

By signing this form, the member acknowledges and understands the Baden Powell Cricket Club Alcohol and Drug policy

Members Name:

Address:

.....

Signature: **Date**...../...../.....



41.4 Appendix C – SOCIAL MEDIA COMMUNICATION POLICY

Our commitment

Electronic communication is essential for sharing club news and information with our members. Our communication will be timely, appropriate and related to club business.

What we will do

We use a range of electronic tools to communicate with our members.

Our communication will protect members' privacy, maintain clear boundaries and ensure that bullying and harassment does not occur.

A webmaster will be appointed to provide accountability and control over material published on our club's website and any related discussion groups or social media websites, such as Facebook, YouTube or Twitter.

Social media websites

We treat all social media postings, blogs, status updates and tweets as public 'comment'.

Postings (written, photos or videos) will be family-friendly and feature positive club news and events.

No personal information about our members will be disclosed.

No statements will be made that are misleading, false or likely to injure a person's reputation.

No statements will be made that might bring our club into disrepute.

- (a) In the event that a member brings the club into disrepute over an internet related indiscretion, the club shall initiate Item 39 of the Constitution.

Abusive, discriminatory, intimidating or offensive statements will not be tolerated. Offending posts will be removed and those responsible will be blocked from the site.

WE CAN STILL HAVE SOME FUN, BUT LET'S KEEP IT NICE!