



WGJCC Constitution

Constitution of the Warwick Greenwood Junior Cricket Club Inc.

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SECTION ONE – CONSTITUTION

1 Name of Association

- 1.1 The name of the Association shall be **Warwick Greenwood Junior Cricket Club Inc.** hereinafter called the “Club”.

2 Registered Office

- 2.1 The Registered Office of the Club shall be the address of the Penistone Clubrooms unless otherwise determined by the Committee.
- 2.2 The Club shall maintain a Post Office Box for the purposes of the receipt of mail which cannot be delivered to the Registered Office.

3 Club Colours

- 3.1 The colours of the Club shall be red, green and white.
- 3.2 The Club shall be affiliated with:
- North West Metropolitan Cricket Association (NWMCA) and the Community Junior Cricket Council (CJCC) of the Western Australian Cricket Association (WACA) and Cricket Australia endorsed competitions.
 - Warwick Greenwood Cricket Club, also known as the senior Club.
- 3.3 Changes to the name(s) of Affiliated organisations will not require changes to this Constitution if they are endorsed by Cricket Australia and/or the WACA.
- 3.4 A change in affiliation may only be made on a majority vote of a Special General Meeting of members called for that purpose or at the Annual General Meeting provided that notice of such proposal shall be included in the notice of the meeting.



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4 Definitions

In these rules, unless the contrary intention appears the following definitions apply:

Act means the *Associations Incorporation Act 2015*;

Adult Member means a person (including a body corporate) who is an Adult member, including one named parent or legal guardian of a Junior Member.

Association means the incorporated association to which these rules apply;

books, of the Club, includes the following —

- (a) a register;
- (b) financial records, financial statements or financial reports, however compiled, recorded or stored;
- (c) a document;
- (d) any other record of information;

Commissioner means the person for the time being designated as the Commissioner under section 153 of the Act;

Committee means the management committee of the Club;

Committee meeting means a meeting of the committee;

Committee member means a member of the committee;

financial records include —

- (a) invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
- (b) documents of prime entry; and
- (c) working papers and other documents needed to explain —
 - (i) the methods by which financial statements are prepared; and
 - (ii) adjustments to be made in preparing financial statements;

financial report has the meaning given in section 63 of the Act;

financial statements means the financial statements as a tier 1 association, and has the meaning given in section 64(1) of the Act.

financial year, of the Club, has the meaning given in sub-rule 16.1;

general meeting, of the Club, means a meeting of the Club that all members are entitled to receive notice of and to attend;

Honorary Members means an adult, who does not currently have a child for which they are the legal parent or guardian for registered as a Junior Member, who is elected by the Club to assist in the administration of the Club. Honorary Members are granted the full voting rights of an Adult Member.



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Junior Life Member means a Member who has been awarded Junior Life Membership by the Committee. These members will have full voting rights after receiving such award. Where Junior Life Membership is granted to an individual less than 18 years of age, the full voting rights are passed on to the parent or legal guardian of the Junior Life Member until such time as the Junior Life Member is 18 years of age.

Junior Life Membership is a class of membership in which a player who has continuously played for Warwick Greenwood Junior Cricket Club for a period of eight years in junior teams in the Under 10s through to Under 17s competitions is eligible for consideration. Participation in other alternate competitions may only be considered as part of the continuous service where individuals who would be eligible, based on age, to play in Under 10s through to Under 17s but have participated in the alternate competitions in accordance with the governing Cricket Associations due to ability/experience/gender. The Committee shall award Junior Life Membership. These members will have full voting rights for 5 years from the award of Junior Life Membership).

Junior Member means any person who is eligible to, and has registered with the Club in, a junior competition for which the Club is affiliated including those offered by Cricket Australia.

Life Member means a Member of the Club who has rendered especially meritorious direct services, to the Club may, at the discretion of the Committee, be awarded Life Membership. These members will have full voting rights for 10 years from award of Life Membership.

general committee member means a committee member who is not an office holder of the Club under rule 8.2

member means a member with the rights referred to in Rule 7;

President means the Committee member holding office as the chairperson of the Club;

register of members means the register of members referred to in Section 53 of the Act;

resolution means a decision passed by the members which does not require a special resolution under section 51 of the Act.

rules means these rules of the Club, as in force for the time being;

Secretary means the committee member holding office as the secretary of the Club;

Special General Meeting means a general meeting of the Club other than the annual general meeting;

Special Resolution means a resolution passed by the members at a general meeting in accordance with section 51 of the Act;

subcommittee means a subcommittee appointed by the Committee to act on behalf of the Committee in relation to matters defined by the terms of reference of the subcommittee.

Treasurer means the committee member holding office as the Treasurer of the Club.



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5 Objects of the Club

5.1 The objects for which the Club are:

- To promote, foster, encourage and instruct in the game of cricket to children eligible to play junior cricket as determined by the governing Cricket Association to enable them to achieve their potential and interest in cricket.
- To facilitate a safe environment which encourages and supports children to participate in, develop skills and learn about cricket through participation in Club, inter-club, District and state-wide junior community cricket.
- To organise, control and manage the cricket teams which cater for the age and skill levels of players to ensure that players are provided opportunities to be actively involved and achieve some measure of success through their involvement with the Club.
- To facilitate the progress of players from the junior levels to the senior levels of cricket, including that of Western Australian Cricket Association affiliated Clubs.
- To promote cricket and sport in general.

5.2 The income and property of the Club whence so ever derived, must be applied solely towards the promotion of its objects as set forth in this Constitution and no portion thereof may be paid or otherwise distributed directly or to any member of the Club, except in good faith in the promotion of the objects or purposes.

6 Powers of Association

6.1 The powers conferred on the Club are the same as those conferred by section 13 of the Act, so that subject to the Act and any additions, exclusions or modifications inserted below, the Club may do all things necessary or convenient for carrying out its objects and purposes, and, may:

6.2 acquire, hold, deal with, and dispose of any real or personal property;

6.3 open and operate bank accounts;

6.4 invest its money in any security in which trust monies may lawfully be invested; or in any other manner authorised by the rules of the Club ;

(a) borrow money upon such terms and conditions as the Club thinks fit;

(b) give such security for the discharge of liabilities incurred by the Club as the Club thinks fit;

(c) appoint agents to transact any business of the Club on its behalf;

(d) enter into any other contract it considers necessary or desirable; and

(e) may act as trustee and accept and hold real and personal property upon trust, but does not have power to do any act or thing as a trustee that, if done otherwise than as a trustee, would contravene this Act or the rules of the Club.

7 Membership

7.1 Membership shall be open to any natural person interested in furthering the objects of the Club.

7.2 The Committee shall determine, prior to the commencement of registrations, the amount of the membership fees to be paid by each class of membership and the



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level of competition for which registration for the coming year is sought, where applicable.

- 7.3 Financial Members of the Club are entitled to vote, hold office and enjoy the privileges of the Club.
- 7.4 Membership period shall begin on payment of a membership fee and any fines or other charges which are due, according to the class of membership sought and held for a period up to the commencement of registrations for the cricket season.
- 7.5 A register of members will be kept by the Registrar on behalf of the Club, must comply with section 27 of the Act by keeping and maintaining an up-to-date register of members and their addresses.
- 7.6 Any financial Member may, at any time, request to inspect the register of Members of the Club, providing that reasonable notice is given to the Registrar. Inspection of the register must not include the residential or postal addresses to ensure that there is no compromise to the privacy, confidentiality and security of information of members.
- 7.7 The Committee shall have the power to create, or modify, the classes of membership included in Rule 7.8.
- 7.8 Memberships shall consist of the following classes:
- (a) Adult Member
- One parent or legal guardian of a financial Junior Member is automatically instated as a financial Adult Member of the Club. Only 1 Adult Membership per family is eligible, irrespective of the number of players in the family.
 - Any person 18 years or older, who is interested in furthering the objects of the Club may become an Adult Member. This includes parents and guardians not instated as the Adult Member for all players in their family.
- (b) Junior Member
- Any person eligible or interested in playing junior cricket, including pre-competition levels for players under the age of 10, may become a Junior Member of the Club.
 - Junior Members have no voting rights, with the voting rights for the player transferred to the nominated Adult Member. Junior members may not nominate for Committee positions.
- (c) Life Member
- Members of the Club who have rendered especially meritorious direct services to the Club may, at the discretion of the Committee, be awarded Life Membership.
- (d) Junior Life Member
- A playing member, on playing continuously for eight years in junior teams in the under 10s through to under 17s competitions shall be eligible for consideration for Junior Life Membership of the club.
 - Membership in alternate competitions may only be considered as part of the continuous service where individuals who would be eligible, based on age, to play in Under 10s through to Under 17s but have participated in alternate competitions in accordance with the governing Cricket Associations due to ability/experience/gender.
 - The Committee shall award Junior Life Membership.



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- Where Junior Life Membership is granted to an individual less than 18 years of age, the full voting rights are passed on to the parent or legal guardian of the Junior Life Member until such time as the Junior Life Member is 18 years of age.
- Junior Life Members are eligible to nominate for a committee position. Where the Junior Life Member is under 18, parent or guardian approval for the nomination is required.

(e) Honorary Members.

- Any member of the affiliated senior club (Warwick Greenwood Cricket Club) may be an Honorary Member of the Club.
- The Committee may elect additional honorary members to the Club, who are adults, without children currently playing for the Club, who wish to assist in the administration of the Club.
- Elected Honorary Members shall have full voting rights at the General Meetings.
- Senior club members may attend member events, but are not eligible to vote or for election to the Committee other than in an ex-officio role as a liaison between the two clubs if they are not a WGJCC Life Member, Adult Member or Elected Honorary Member.

7.9 A member shall cease to be a member when:

- (a) A resignation of membership is received by the Club, including due to a request to transfer to other club;
- (b) Termination of the membership and during periods of suspension; or
- (c) The death of the member; or
- (d) Membership fees are not paid within 3 months of the due date, where arrangements regarding delayed payment are not finalised.

7.10 A member may be suspended for misconduct.

- (a) All reports of misconduct, including potential breaches of the Code of Conduct are to be made to the President in writing or via email.
- (b) The President will refer the matter to the Executive who will appoint a disciplinary tribunal of a minimum of two and maximum of three committee members, provided that no tribunal member is associated with the accused member's team or has any other potential, perceived or actual conflict of interest.
- (c) The disciplinary tribunal will be conducted in accordance with the rules published by the governing Cricket Association.
- (d) If the Tribunal decides that the member has been found to have conducted themselves in a manner which is detrimental to the interests, reputation, security or safety of the Club and its Member then the membership may be terminated or suspended in accordance with the

7.11 Any member who has their membership terminated or suspended has the right to appeal against the termination or suspension by presenting their case to a General Meeting called to hear the appeal, where the members vote in favour of the continuation of the expulsion.



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8 Committee

- 8.1 The Club shall be managed by a Committee who are the office bearers of the Club.
- 8.2 The Committee shall be comprised as follows:
 - President
 - Vice President
 - Secretary
 - Treasurer
 - Registrar
 - Up to 8 General Committee positions
- 8.3 Any Member, other a member under the age of 18, may nominate for an Executive position on the Committee.
- 8.4 Any Member, including Junior Life Members, but excluding Junior Members, are eligible to nominating for a General Committee role.
- 8.5 Committee Members must be elected to membership of the Committee at an Annual General Meeting or as appointed under sub-rule 8.7. Where only one nomination for each available committee position has been received prior to the commencement of the AGM, then all positions will be declared filled without need for election.
- 8.6 Members of the Committee shall hold office until the end of the following the Annual General Meeting where they were elected to the Committee for that year, or until their membership ceases in accordance with sub-rule 7.9.
- 8.7 A member of the Committee who fails to attend three consecutive meetings of the Committee or act in a manner likely to discredit the Club may be required to show cause to the Committee why that member's membership of the Committee should not be terminated.
- 8.8 In the case of extended casual vacancy or permanent vacancy in the Executive of less than three months in duration, the President may appoint any Member into the role until the return of the elected committee member.
- 8.9 When a member ceases to be a Committee Member, all documents, records and property of the club these must be returned within seven days to the Secretary or President.



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9 Powers of the Committee

9.1 The Committee, shall have the following powers:

- manage the affairs of the Club its office bearers, members and funds.
- control the finances of the Club in accordance with the objectives of the Club.
- arbitrate on any disputes which may arise between teams or members thereof in connection with cricket and to determine any matter referred to it by any team or member.
- deal with, as it deems necessary, any team or member thereof which the Committee determines is functioning in a manner detrimental to the welfare of the club.
- determine the membership and playing fees of the Club.
- cause to be made or to demand an audit of the books and accounts of the Club at anytime.
- appoint coaches and managers for Club teams.
- handle written clearances as submitted by players of the Club.
- determine the number, reason and selection method for all trophies awarded by the Club.
- all such powers as may be necessary for the proper conduct of the business of the Club in accordance with the Act and the rules of Affiliated organisations.

9.2 The member of the Committee who is nominated as the Cricket Association Representative must represent the Club at a meeting of an affiliated Association, organization, or entity. Where the nominated Representative is unable to attend, the President may nominate a Delegate

9.3 The Representative or a Delegate is required to attend all meetings of the NWMCA and report to the next Committee Meeting.

10 Proceedings of Committee Meetings

10.1 The Committee shall meet at least nine times per calendar year for the conduct and decide on the of business of running the Club.

10.2 Seven days' notice via written notification, email or calendar invite must be given for Committee Meetings.

10.3 The President shall chair the meetings, if the President and Vice President are absent then any member of the Executive will chair the meeting.

10.4 The order of business at a committee meeting is outlined in the Standing Order 1 Committee Meeting. The order in which items are discussed may be, with the agreement of the Committee Members present, be rearranged based on the priority of matters and/or the availability of Committee Members.

10.5 At Committee Meetings, a quorum shall consist of three Committee Members and at least one of these must be from the Executive.

10.6 As required under sections 21 and 22 of the Act, a Committee member having any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in the contemplation of, the Committee must as soon as they become aware of that interest, disclose the nature and extent of their interest to the Committee; and not take part in any deliberations or decision of the Committee with respect to that



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contract. This does not apply with respect to a pecuniary interest that exists only by the member of the Committee as a result of being an employee of the Club.

- 10.7 The Secretary must record every disclosure made under Sub-rule 10.6 by a member of the Committee to be recorded in the minutes of the meeting of the Committee at which it is made.
- 10.8 If within 30 minutes of the scheduled start time of the meeting there is no quorum present, the members who are present may proceed with the business but all decisions, questions and/or motions for approval must be resolved via majority vote in an out-of-session documented voting process, such as responses to emails, survey polling or similar digital platform.
- 10.9 Decisions, questions and/or motions for approval must be decided by a majority of votes. Where there is not majority, the President, or the delegate of the President chairing the meeting shall have a casting vote in addition to their deliberative vote.
- 10.10 Each Committee Member has one deliberative vote, including the President.
- 10.11 President shall make and/or approve the invitation guests to Committee Meetings. Invited guests have no right to any agenda, minutes or other documents circulated at the meeting; and must not comment about any matter discussed at the meeting unless invited by the Committee to do so; and cannot vote on any matter that is to be decided at the meeting.

11 Executive

- 11.1 The Executive of the Committee shall consist of:
 - President
 - Vice President
 - Secretary
 - Treasurer
 - Registrar
- 11.2 In the case of an extended casual vacancy or permanent vacancy in the position of the President, the Vice President shall stand in this role until the return of the elected President or the election of a new Committee at the AGM.
- 11.3 In the case of an extended casual or permanent vacancy in the position(s) of other members of the Executive, a delegate from the Committee shall stand in this role until the return of the member or the election of a new Committee at the AGM.
- 11.4 Responsibilities of the President
 - (a) It is the duty of the President to consult with the Secretary regarding the business to be conducted at each Committee Meeting and General Meeting.
 - (b) The President has the powers and duties relating to convening and presiding at Committee Meetings and presiding at General Meetings provided for in these rules.
 - (c) The President can delegate duties associated with their role or to act as an authorised representative of the Club.



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11.5 Responsibilities of the Vice President

- (a) The duty of the Vice President is to act in the role of the President when the elected President is absent arising from a casual or permanent vacancy.

11.6 Responsibilities of the Secretary

- (a) The Secretary has the following duties:

- dealing with the Club's correspondence;
- consulting with the chairperson regarding the business to be conducted at each committee meeting and general meeting;
- preparing the notices required for meetings and for the business to be conducted at meetings;
- preparing and distribution of minutes of all Meetings of the Club within 30 days of the Meeting.
- unless the members resolve otherwise at a general meeting, have custody of all books, documents, records and registers of the Club, including those referred to in paragraph (a) but other than those required by rule 11.7 to be kept and maintained by, or in the custody of the Treasurer or by rule 11.8 to be kept and maintained by, or in the custody of the Registrar
- maintaining on behalf of the Club an up-to-date copy of the Constitution, as required under Section 35(1) of the Act;
- carrying out any other duty given to the Secretary under these rules or by the committee.

11.7 Responsibilities of the Treasurer

- (a) The Treasurer has the following duties:

- ensuring that any amounts payable to the Club are collected and issuing receipts for those amounts in the Club's name;
- ensuring that any amounts paid to the Club are credited to the appropriate account of the Club, as directed by the committee;
- ensuring that any payments to be made by the Club that have been authorised by the committee or at a general meeting are made on time;
- ensuring that the Club complies with the relevant requirements of Part 5 of the Act;
- comply on behalf of the Club with sections 25 and 26 of the Act with respect to the accounting records of the Club by
 - i. keeping such accounting records as correctly record and explain the financial transactions and financial position of the Club;
 - ii. keeping its accounting records in such manner as will enable true and fair accounts of the Club to be prepared from time to time;
 - iii. keeping its accounting records in such manner as will enable true and fair accounts of the Club to be conveniently and properly audited; and
 - iv. submitting to members at each annual general meeting of the Club accounts of the Club showing the financial position of the Club at the end of the immediately preceding financial year.
- whenever directed to do so by the Chairperson, submit to the Committee a report, balance sheet or financial statement in accordance with that direction, including compliance with Part 5 and sections 25 and 26 of the Act;
- ensuring the safe custody of the Club's financial records, financial statements and financial reports, as applicable to the Club;



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- coordinating the preparation of the Club's financial statements before their submission to the Club's annual general meeting;
- preparation of the Club's financial report before its submission to the Club's Annual General Meeting;
- providing any assistance required by an auditor or reviewer conducting an audit or review of the Club's financial statements or financial report under Part 5 Division 5 of the Act;
- carrying out any other duty given to the Treasurer under these rules or by the committee.

11.8 Responsibilities of the Registrar

(a) The Registrar has the following duties:

- unless another member is authorised by the committee to do so, maintaining on behalf of the Club the register of members, and recording in the register any changes in the membership, as required under section 53(1) of the Act which includes:
 - type of membership
 - date at which the member becomes a member
 - dates at which membership is suspended and the period of the suspension and date at which suspension is removed, if applicable
- Where a member requests an inspection of the register of members, make the register available for inspection free of charge at a time which is mutually convenient.
- Ensure that the provisions of the Privacy Act are upheld with regards to the information available for inspection.
- Advise the member requesting the inspection of that the information inspected by them must not be used or disclosed except for a purpose that is:
 - directly connected with the affairs of the Club; or
 - related to complying with a requirement of the Act.
- Allowing access to a copy of the register of members to the Secretary following the completion of registration and each time the register is updated.

11.9 Responsibilities of the General Committee.

- (a) The General Committee are expected to support the activities of the Club by taking responsibility to lead the planning, management and delivery of one of the activities or functions identified by the Executive.
- (b) Participate in Committee Meetings and report on progress for areas which the member has responsibility for.
- (c) Supporting Club activities through attendance, participation and promotion.



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12 Powers of the Executive

- 12.1 Should any urgent matters arise, and it is impractical to refer the matter to the Committee Meeting, the Executive shall have the power to deal with such matters.
- 12.2 The President shall seek the opinion of all available Executive members and shall act in such a manner as the majority of the Committee would be expected to approve.
- 12.3 In the event of there being no majority the President shall call a meeting of the Executive to decide on the matter in accordance with Rule 15.1.
- 12.4 The Executive can also appoint a Tribunal of committee members to hear disciplinary charges against members, except for an appeal where a Special General Meeting has been called as described in sub-rule 14.4 .

13 Proceedings of Executive Meetings

- 13.1 Where urgent business in relation to the Club cannot be delayed until the next scheduled Committee Meeting, an Executive Meeting can be held
- 13.2 Two days notice via written notification, email or calendar invite must be given for Executive Meetings, unless Executive agreed to shorter notice period unanimously. The notice must state the date, time and place of the meeting.
- 13.3 At Executive Meetings, a quorum shall consist of three members. Where a quorum is not present, but two members of the Executive are present with one of those being the President, then the President can make a decision based on the best interests of the Club and this decision must be communicated to the Executive.
- 13.4 The only business that may be conducted at the meeting is the business described in the notice, unless new urgent business that has not been described in the notice has been identified since the original notice was issued. New business may be conducted at the meeting if the committee members at the meeting unanimously agree to treat that business as urgent.

14 Proceedings of General Meetings

- 14.1 General Meetings of the Club must be held at least once per calendar year, with this meeting being called the Annual General Meeting.
- 14.2 The Annual General Meeting of the Club shall be held no later than four months from the end of the Financial Year described in sub-rule 16.1
- 14.3 The Annual General Meeting the Club must also include the election of Committee members as discussed in Rule 15.
- 14.4 Special General Meetings may also be called from time to time to discuss matters arising from:
 - (a) Items which cannot be held over until the next Annual General Meeting; or
 - (b) A request in writing upon the request of any Executive member plus any two members of the Committee, with no more than one person from each family or upon request by at least 20% of members of the Club summon a Special



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General Meeting of the members of the Club. A General Meeting for the purpose specified in the request and be held within 30 days of the request; or

- (c) A notice under subrule 7.11 to deal with an appeal to which the notice relates to and be held within 30 days of the notice; or
- (d) Urgent changes the Constitution are required and this cannot be addressed at the next Annual General Meeting.

- 14.5 Members making a request under Rule 14.2(b) must state in the request the purpose for which the Special General Meeting concerned is required and sign that request.
- 14.6 Fourteen (14) days' notice via written notification, email, social media promotion or calendar invite must be given for Annual and Special General Meetings.
- 14.7 At Annual and Special General Meetings, a quorum shall consist of five financial members of the Club with voting rights being present and at least two of these must be from the Executive. Where a quorum is not present within 30 minutes of the scheduled meeting start time, the meeting will be adjourned for a week.
- 14.8 At the re-scheduled meeting if the required quorum is not present the presence of at least two members of the Executive and at least one other Club member may constitute a quorum.
- 14.9 The order of business for Annual and Special General Meetings are outlined in the Standing Orders (Section Two of this Constitution).
- 14.10 Special General Meetings can only discuss the specific item/s for which prior notice has been given in line with the rules of the club.
- 14.11 The President shall chair the meetings, or the Vice President if the President is absent. In the absence of both the President and Vice-President then any member of the Executive will chair the meeting.
- 14.12 Where decisions, motions or resolutions are presented as part of an Annual or Special General Meeting, the resolution will have been passed if the majority of the members who cast a vote, either in person or by proxy support the decision, motion or resolution.

15 Elections of Committee

- 15.1 Nominations for the Committee shall be called for by the Secretary for a period of not less than 14 days and received by the Secretary up to the time and date of the Annual General Meeting.
- 15.2 Should nominations for any office be received in excess of the vacancies, a ballot shall be taken.
- 15.3 Should nominations equal the number of vacancies, the persons nominated shall be deemed elected.
- 15.4 In the event that no nominations, or insufficient nominations, are received for a position on the Committee, or a vacancy is created, the Committee shall have the power to appoint a person to fill the vacancy until the next Annual General Meeting.



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16 Finance

- 16.1 The financial year of the Club shall be from the first 1st day of May to the thirty first (30th) day of April in the following year.
- 16.2 Financial statements for the financial year must be reviewed or audited prior to the AGM where one of the following apply:
 - (a) a resolution requiring an audit or review of the financial statements is passed at a general meeting;
 - (b) the Club has received funding from a third party where an audit or review of financial statements is required as a condition of the funding; or
 - (c) as directed by the Commissioner to do so in accordance with section 69(1) of the Act.
- 16.3 The funds of the Club may be derived from entrance fees, annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the committee.
- 16.4 A banking account(s) shall be opened and operated with a recognized banking institution(s) in the name of the Club and shall be operated by any two signatories from the Executive, provided no two related persons are signing the authorisation.
- 16.5 Subject to any restrictions imposed at a general meeting, the Committee may approve expenditure on behalf of the Club without limit.
- 16.6 The Treasurer may expend or reimburse funds occurred in the same financial year on behalf of the Club by a Committee Member up to a \$250 in total without requiring approval from the committee where the item(s) have been included in the budget for the year. Where a single or cumulative total of expenditure exceeds \$250, the amount must be approved by the Committee prior to the expenditure.
- 16.7 Payments to Committee members, other than direct reimbursement of approved expenses are prohibited.
- 16.8 All monies received on behalf of the Club by subcommittees or individual members shall be paid into the banking account within five days of receipt.
- 16.9 All payments to be made by the Club are to be done so using a Club debit card or electronic funds transfer.
- 16.10 For each financial year, the committee must ensure that the requirements imposed on the Club under Part 5 of the Act relating to the financial statements or financial report of the Club are met.
- 16.11 A copy of such Financial Statements, prepared considering sub-rule 11.7, must be available at the Annual General Meeting or at such date as directed by the Committee.



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17 Record Keeping

- 17.1 The Club shall maintain records of:
- (a) Members, for a period of at least one year after the person ceases to be a member and the reason why a person ceased to be a member, where that reason was not associated with non-renewal of membership.
 - (b) Details of committee members and other persons authorised to act on the Club's behalf, including the contact details and the dates at which the member became and ended their role(s) on the Committee or authorisation to act as a Delegate.
 - (c) meetings, correspondence and decisions
 - (d) financial records, including statements, invoices and receipts for a period as required under law
- 17.2 Members may request to inspect the register of members under section 54(1) of the Act and the record of the names and contact details of committee members, and other persons authorised to act on behalf of the Club, under section 58(3) of the Act or any other record or document of the Club, excluding the personal information of Members other than their names.
- 17.3 If the member wants to inspect a document that records the minutes of a committee meeting, the right to inspect that document is subject to any decision the committee has made about minutes of committee meetings generally, or the minutes of a specific committee meeting, being available for inspection by members.
- 17.4 The member must contact the Secretary to make the necessary arrangements for the inspection, which will be free of charge.
- 17.5 The member may make a copy of or take an extract from a record or document referred to in Clause 17.1 but does not have a right to remove the record or document for that purpose. The member must not use or disclose information in a record or document referred to in Clause 17.1 except for a purpose that is directly connected with the affairs of the Club or that is related to complying with a requirement of the Act.

18 Executing documents and common seal

- 18.1 The Club may execute a legal document if the document is signed by two Committee Members with prior approval by the Committee.
- 18.2 The Club does not have a Common Seal.

19 Alterations to the Constitution

- 19.1 The Club may alter or rescind these rules, or make rules additional to these rules, in accordance with the procedure set out in sections 17, 18 and 19 of the Act, which is as follows-
- 19.2 Subject to sub-rule 19.1(d) and 19.1(e), the Club may alter its rules by special resolution but not otherwise;
- 19.3 Within one month of the passing of a special resolution altering its rules, or such further time as the Commissioner may in a particular case allow (on written application by the Club), the Club must lodge with the Commissioner notice of the special resolution setting out particulars of the alteration together with a certificate given by a member of the Committee certifying that the resolution was duly passed



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as a special resolution and that the rules of the Club as so altered conform to the requirements of this Act;

- 19.4 An alteration of the rules of the Club does not take effect until sub-rule 19.1(b) is complied with;
- 19.5 An alteration of the rules of the Club having effect to change the name of the Club does not take effect until sub-rules 19.1(a) to 19.1(c) are complied with and the approval of the Commissioner is given to the change of name;
- 19.6 An alteration of the rules of the Club having effect to alter the objects or purposes of the Club does not take effect until sub-rules 19.1(a) to 19.1(c) are complied with and the approval of the Commissioner is given to the alteration of the objects or purposes.
- 19.7 The Special Resolution is only passed if 75% of the members present and eligible to vote in favour of the Special Resolution.
- 19.8 These rules bind every member and the Club to the same extent as if every member and the Club had signed and sealed these rules and agreed to be bound by all their provisions. In accordance with section 51 of the Act, alterations to this Constitution, a Special Resolution proposing the change must be sent in the notice of the Annual General Meeting or Special General Meeting if the changes cannot wait until the next Annual General Meeting.

20 By-Laws

- 20.1 The Club does not have any by-laws.
- 20.2 The Club may, by resolution at a general meeting, make, amend or revoke by-laws.

21 Disputes and mediation

- 21.1 The grievance procedure set out in this rule applies to disputes under these rules between-
- 21.2 a member and another member; or
- 21.3 a member and the Club.

It does not cover misconduct or other actions which result in a disciplinary tribunal which is outlined in sub-rule 7.10.

- 21.4 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- 21.5 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 10 days, hold a meeting in the presence of a mediator.



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21.6 The mediator must be:

- (a) a person chosen by agreement between the parties; or
- (b) in the absence of agreement-
 - (i) in the case of a dispute between a member and another member, a person appointed by the Committee of the Club;
 - (ii) in the case of a dispute between a member or relevant non-member and the Club, a person who is a mediator appointed to, or employed with, a not for profit organisation.

21.7 A member of the Club can be a mediator, but they cannot be a member who is a party to the dispute.

21.8 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

21.9 The mediator, in conducting the mediation, must:

- (a) give the parties to the mediation process every opportunity to be heard;
- (b) allow due consideration by all parties of any written statement submitted by any party; and ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

21.10 The mediator must not determine the dispute and the mediation must be confidential and without prejudice.

21.11 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

22 Distribution of surplus property on winding up of Club

22.1 If upon the winding up or dissolution of the Club there remains after satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the members, or former members.

22.2 The surplus property must be given or transferred to another Association incorporated under the Act which has similar objects and which is not carried out for



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the purposes of profit or gain to its individual members, and which Club shall be determined by Special Resolution of the members.

22.3 The recipient organisation must be one or more of the following:

- (a) An association incorporated under the Act; or
- (b) A company limited by guarantee registered under the Corporations Act 2001 section 150; or
- (d) A company holding a licence that continues in force under the Corporations Act section 151; or
- (e) A body corporate that holds a license under the Charitable Collections Act 1946; or
- (f) A body corporate that is a former member of the association that is winding up, whose rules prevent the distribution of property to its members; or
- (g) A trustee for a body corporate referred to in paragraph (e); or
- (h) A co-operative registered under the Co-operatives Act 2009 that, at the time of the distribution of surplus property, is a non-distributing co-operative as defined in that Act.

22.4 the association must then pass special resolutions -

- (a) that its incorporation be cancelled under this Division; and
- (b) approving a distribution plan that complies with sections 133 and 134.



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SECTION TWO – STANDING ORDERS

1 Committee Meetings

The agenda for Committee Meetings shall be as follows:

1. Open
2. Apologies
3. Minutes of Previous Meeting
4. Business Arising
5. Correspondence
6. Reports
7. General Business
8. Date of Next Meeting
9. Close

2 Annual General Meetings

The agenda for Annual General Meetings shall be as follows:

1. Meeting Open and Welcome
2. Minutes of Previous Annual General Meeting
3. Presidents Report
4. Financial Report
5. General Business
6. Declaration of all Committee Positions Vacant
7. Election of a new Committee.
8. Close

3 Special General Meeting

The agenda for Special General Meetings shall be as follows:

- 1 Meeting Open and Welcome
- 2 Discussion of the Item/s
- 3 Voting on the item/s
- 4 Close