

HILLS CRICKET ASSOCIATION INC CONSTITUTION

Incorporating all amendments to September 2001

1. NAME

The name of the Association shall be the HILLS CRICKET ASSOCIATION INC.

2. OBJECTS

The objects of the Association shall be:

- (a) The encouragement and improvement of cricket.
- (b) The arrangement of matches.
- (c) The promotion of good fellowship between the affiliated clubs.

3. MEMBERSHIP

(a) The members of the Association shall be:

- (1) Such cricket clubs as shall be duly affiliated.
- (2) All the officers of the Association for the time being excepting the auditor.
- (3) Life members.
- (4) Members of affiliated clubs.

(b) Applications for admission to membership of the Association by a new club shall be made in writing to the Secretary. The said application shall be considered by the Executive Committee of the Association within 28 days after the receipt of the notice of Application. The executive shall notify the applicant club of its acceptance or otherwise to membership within 7 days after such application has been considered. The executive committee shall have the absolute right to determine whether or not to admit a club to membership of the Association. The executive committee may impose such conditions of entry on an applicant new club as the Executive Committee in its discretion thinks fit.

- (c) Life members of the Association shall be those members elected by three-quarters majority of members present and voting at an Annual General Meeting on a recommendation of the Executive Committee forwarded with the Notice of Meeting.
- (d) An Affiliated Club shall be a club admitted to membership of the Association. Clubs who have played in the season immediately prior to an Annual General Meeting shall be deemed to be affiliated unless by an ordinary resolution that Club shall be denied affiliation at an Annual General Meeting or at a Special General Meeting called for that purpose. Such resolution shall not be regarded as an expulsion of that Club for the purposes of Clause 11(b).

4. SUBSCRIPTIONS

Each club in the Association shall subscribe towards the funds of the Association a sum fixed or an amount to be determined by the Annual General Meeting. Such Annual subscription shall be paid to the Honorary Treasurer on or before 1st December in each season. Any Club not having paid the subscription by the above date may in the discretion of the Executive Committee lose all points gained by 1st December and thereafter until such annual subscription is paid or such part of such points as the Executive Committee thinks fit and be denied the privileges of membership including the right to vote at any General Meeting and the right for its members to play cricket in this Association. An account shall be forwarded to each Club by 1st November in each year if necessary.

5. TEAMS

Not later than the 1st day of September in each year or such later date as the Executive Committee or the Annual General Meeting shall fix each admitted cricket club shall nominate to the Secretary the number of teams which that club proposes to enter for the forthcoming season and the grades in which it desires those teams to participate.

6. MEETINGS

- (a) The Annual General Meeting of the Association shall be held on a date fixed at the Executive Meeting preceding the Annual General Meeting in each year. The

Association Secretary shall give 14 days notice of this meeting to all affiliated clubs. At the Annual General Meeting in addition to any general business raised by any member the following business shall be conducted:

- (1) The Annual Reports of the retiring President and Treasurer shall be presented.
 - (2) The officers of the Association shall be elected.
 - (3) Subject to this Constitution and to the Match Rules, the dates of play and the nature of the competition for the next ensuing season shall, where appropriate, be determined.
 - (4) Any other business shall be conducted which shall be necessary for the purpose of this constitution.
- (b) Special General Meetings may be called by the Secretary or the President or by the Secretary upon the receipt of a written requisition from at least three (3) member clubs. Where a requisition from three member clubs is received, it shall specify the purpose for which the meeting is to be called and that purpose shall be stated in the Notice of Meeting. Where a Special General Meeting is called by Secretary or President, then the purpose for which the meeting is called shall be stated on the Notice of Meeting. No business other than that stated on the Notice of Meeting shall be conducted at a Special General Meeting.
- (c)
- (1) All members of the Association shall have the right to attend and shall not have any right to vote other than is hereinafter in this clause specified.
 - (2) Each member club shall be entitled to two votes. Each member club shall be entitled to two delegates. Each officer of the Association (as defined in Clause 7) shall have one vote and where an officer is also a member club delegate such officer shall have 2 votes.
 - (3) At each general meeting a quorum shall consist of one half of all admitted clubs of the Association.
 - (4) The chairman of each such meeting shall be the President or, in his absence, the Vice President. If neither shall be available, the Chairman of the meeting shall be elected by the meeting prior to the commencement of business. The Chairman at each such meeting shall have a deliberative

and a casting vote.

- (d) Attendance: The attendance of each member club at all general and special meetings or at any other meeting of the Association where representatives are required from each club of the Association shall be compulsory. Penalty for non attendance shall be determined by the Executive Committee.

7. OFFICERS

- (a) The officers of the Association shall be:
 - (1) Patron
 - (2) President
 - (3) Vice President
 - (4) Hon Secretary
 - (5) Hon Treasurer
 - (6) Hon Assistant Secretary
 - (7) Statistical Officer Auditor (who shall not, by virtue of his election as Auditor, become a member of the Association)
 - (8) Four ordinary members of the Executive Committee who shall all be members of different member clubs
- (b) In the event of any office of the Association becoming vacant, the Executive Committee shall be empowered to fill such vacancy at its discretion.
- (c) An officer of the Association may resign by notice in writing to either the President or Honorary Secretary and such notice shall become effective on receipt thereof by the person to whom it is addressed or as is otherwise set out in the Notice of Retirement.
- (d) If a person shall not be elected at the Annual General Meeting to fill any of the positions of Offices of the Association, with the exception of Patron and Auditor, then an Affiliated Club shall be nominated to provide a competent person to fill such office. The Club to be nominated shall be determined by lot and the method of determining the draw for lots shall be as determined by the Chairman of the

meeting. The Club so determined by lot to fill the position of a designated officer shall notify the Association of the person nominated by the Club to fill that position within seven (7) days. Any Club having been determined to fill a position of an official who fails to nominate a competent person or where any competent person resigns the office during a season and a substitute is not nominated by the Club within seven (7) days then that Club shall be deemed to forfeit all games played or to be played by that Club during such period that a competent person does not fill the necessary position. The members in general meeting shall determine by ordinary resolution if a competent person has filled a position.

8. DUTIES OF THE OFFICERS

(a) Secretary

- (1) Shall handle all correspondence
- (2) Shall perform such other duties as may from time to time be necessary.

(b) Treasurer

The Treasurer shall be responsible for the receipt of monies and the payment of all accounts. All receipts shall be paid into the current account at a bank. All accounts shall be passed for payment by the Executive Committee and shall be paid by cheque. Petty expenses shall be paid by covering cheque from time to time. The President; the Treasurer and one other member shall be the signing officers for all withdrawals from the current account at the said bank. Each cheque shall be drawn by any two of them. The Treasurer may be asked to present a current financial statement at any general meeting of the Association. The Treasurer's annual report shall include an audited statement of accounts made up to the 30th day of June preceding the Annual General Meeting in each year.

(c) Assistant Secretary

The Hon. Assistant Secretary shall be responsible for taking and keeping a record of all meetings of the Association.

(d) Statistical Officer

- (1)** The Statistical Officer shall keep a complete record of all score cards and report any irregularities to the Secretary.
- (2)** He shall keep a record of Premiership points gained by each team in the competition.

9. EXECUTIVE COMMITTEE

- (a)** The Executive Committee shall consist of the President, Vice President, Secretary, Treasurer, and four other members elected at the Annual General Meeting. The President shall preside at all meetings of the Executive Committee but, if he is not present at any meeting, then the Vice President shall preside. If he is not present, then the members may elect a chairman for that meeting from amongst the members then present.
- (b)** The Executive Committee shall be subject to any directions given to it by the members in general meeting and subject to the provisions of the By-Laws have the power to do such other acts, matters and things as it shall think for carrying into effect the objects of the Association or any of them.
- (c)** Meetings of the Executive Committee may be called by any member thereof who shall give notice of his intention to call a meeting, to the Secretary. The Secretary shall thereupon call a meeting as soon as practicable after receipt of such notice. The Chairman shall have a deliberative and a casting vote.
- (d)** Five members of the Executive Committee shall constitute quorum at its meetings.
- (e)** The Executive Committee may otherwise determine its own procedures. The Executive Committee shall have the power to appoint sub-committees to report to it and perform any of the functions hereby or by the match rules delegated to it and the Executive Committee for the purpose of appointing any such sub-committee shall have the power to co-opt any member of the Association or any other person associated with any of the member clubs to serve on such sub-

committee.

- (f) The Executive Committee shall meet at least four times a year.
- (g) Where any dispute or matter is for the time being considered by the Executive Committee and involves a Club of which a member of the Executive Committee is a member, then the President or other Chairman of that Executive Committee shall require such Executive Committee member to be disqualified and that member so disqualified shall, if necessary, be replaced by a person nominated by the Secretary and in consideration of the matters before the Executive Committee in respect of which the member has been disqualified the person so nominated shall for all purposes related to the dispute be a member of the Executive Committee with power to vote thereat.

10. DISPUTES & PROTESTS

- (a) All disputes, reports, protests shall be determined by the Executive Committee and shall be determined according to this Constitution and Match Rules.

11. PENALTIES

- (a) The Executive Committee may, on hearing any matter before it:
 - (1) determine the result of a match;
 - (2) fine, reprimand or suspend any member club or any member;
 - (3) direct that any member or member club do or refrain from doing any act, matter or thing;
 - (4) adjust premiership points of any team of any club affected by any decision of the Executive Committee;
 - (5) recommend the expulsion of a member or a member club from the Association to a special general meeting of the Association.
- (b) A member or member club may be expelled by the members at a Special General Meeting. A vote for expulsion shall be taken by a three-quarters majority.

12. NEW RULES / BY LAWS

The members in general meeting may make such match rules and by laws as they may determine to be in the interests of the Association for the purpose of carrying into effect the objects of the Association.

13. ALTERATION TO RULES

(a) This Constitution and the Match Rules of the Association may be altered upon the motion of any member of the Association at any time, Annual General Meeting, or at a Special General Meeting called for the purpose.

(b) Notice of intention to move for an alteration of the Constitution or the Match Rules shall be given:

By giving to the Secretary not less than one month prior to the Annual General Meeting (or Special General Meeting) at which it is intended to put the motion, notice in writing of the motion and sufficient written copies thereof to enable the Secretary not less than twenty one days prior to the Annual General Meeting (Special General Meeting) to deliver a copy of the notice of motion to each member club.

14. NOTICES

All notices required by this Constitution or by the By-Laws hereunder to be given to a member club or an official or may be given by pre-paid letter addressed to the official or the Club Secretary of the member club at the last address of such official or club appearing in the Association's records and such letter shall be deemed to have been received on the day following the posting thereof. The accidental or inadvertent omission to give notice to any club member of any Special Meeting or Annual General Meeting shall not invalidate the meeting convened by such notice or any decision made thereat. No member of any member club shall be entitled to a notice of a General Meeting or a Special General Meeting.

15. NON-PROFIT

The income and property of the Association shall be applied solely towards the promotion of the objects of the Association, and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise, howsoever by way of profit, to members or relatives of members of the Association, provided that nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Association or to any member of the Association for any service actually rendered to the Association, or reasonable and proper rental for premises let by any member to the Association.

16. WINDING-UP

If upon the winding-up or dissolution of the Association, there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among members of the Association, but shall be distributed to other body or bodies having similar objects or to such charitable body or bodies, and which shall prohibit the distribution of income and property to members.

17. (a) This Constitution amended on the 1st day of November 1993 hereby repeals all and any previously existing constitution or constitutions.

(b) Any appointment made or motion passed under any Constitution hereby in force and immediately prior to such repeal shall continue in force so far as is practicable as if the same were made or passed under this Constitution and shall be effective so long as the same is not expressly or by necessarily implication excluded, altered or otherwise modified.