

Constitution of the Prestons Hornets Cricket Club (Incorporated)

As Amended 23 July 2025

1. Name, Objectives and Rules

- a) The Prestons Hornets Cricket Club (Incorporated), also known as the *Prestons Cricket Club* (hereafter called “the Club”), shall play in cricket competitions organized by the Fairfield-Liverpool Cricket Association (Incorporated), or any organization that supersedes that Association.
- b) The Club shall play cricket under the Laws of Cricket as defined in the M.C.C. Rulebook, and under the by-laws of Cricket NSW and the Fairfield-Liverpool Cricket Association.
- c) The Club shall be bound by the provisions of the *Associations Incorporation Act 2009* (as amended).
- d) The colours of the Club shall be **maroon and gold**.
- e) The emblem of the Club shall be a **Hornet**.
- f) The objective of the Club shall be to foster both junior and senior sport, in particular cricket, and to promote public participation and recreational activities within the Club.

2. Committee of the Club

- a) The Committee shall consist of:
 - i) President
 - ii) Vice-President/s
 - iii) Secretary
 - iv) Treasurer
 - v) Public Officer
 - vi) Child Safety Officer
 - vii) Registrar
- b) No member shall serve on the Committee unless they have been a Club member for a minimum of twelve months (though not necessarily the immediate past twelve months).

3. Executive Committee – Powers and Functions

The Executive Committee shall:

- a) Control and manage the affairs of the Club.
- b) Exercise all functions required to be exercised by the Club, except those reserved for a General Meeting of members.
- c) Perform all acts and do all things necessary for the proper management of the Club.
- d) Apply the funds and assets of the Club consistently with its objectives.

4. Executive Committee Meetings

The Executive Committee may meet as often as deemed necessary, at a time and place decided by the Committee. Meetings may be held concurrently in more than one location using technology, provided each Committee member has a reasonable opportunity to participate. All members participating via technology shall have equal rights, including voting.

5. Quorum for Committee Meetings

At any Committee meeting, three members shall constitute a quorum. If fewer are present, the Committee may appoint sufficient Club members to form a quorum.

6. Office Bearers

The Office Bearers shall be:

- a) Any Patrons elected from time to time
- b) President
- c) Vice-President/s
- d) Secretary
- e) Treasurer
- f) Coordinator of Junior Cricket
- g) Communication Officer/s
- h) Records Officer/s
- i) Auditor (if required)
- j) Delegates to the FLCA (minimum two, or as otherwise required)
- k) Public Officer – who shall ensure compliance with the *Associations Incorporation Act 2009* (as amended), including maintaining a Register of Members. The Public Officer need not be a Club member, but the position must not remain vacant for more than 28 days.

7. Election of Office Bearers

- a) Where two or more members are nominated for the same Office, a secret ballot shall be held at the Annual General Meeting (AGM).
- b) Appointments must be by nomination. No Office shall be filled by default as the runner-up in another ballot.

8. Term of Office and Vacancies

- a) Each Office Bearer shall hold office until the conclusion of the AGM following their election, and shall be eligible for re-election. In the event of a casual vacancy, the Committee shall appoint a replacement subject to ratification at the next General Meeting.
- b) There is no maximum number of consecutive terms an Office Bearer may serve.

9. Nominations in Absence

Members unable to attend the AGM may advise the Secretary in writing of their intention to nominate for an Office, not less than 14 days prior to the AGM.

10. Annual General Meeting (AGM)

The AGM shall be held in **July each year**, at a time and place decided by the Committee. The Secretary shall notify all members in writing of the date, time, and venue.

11. Business of the AGM

a) The business of the AGM shall include:

- i) Election of Office Bearers
- ii) Consideration of proposed rule changes

b) Voting Eligibility:

i) Only financial playing and/or social members from the previous season, and Life Members, may vote.

ii) A member is defined as:

- A financial player, or
- A parent of a player under 18, or
- A financial social member involved in Club activities.

12. Adjourned AGM

An Adjourned AGM shall be held at a time and venue decided by the Executive Committee. Members shall be notified in writing of the date, time, and venue.

13. Business of the Adjourned AGM

To deal with:

- a) Proposed rule changes
- b) Unfinished business from the AGM
- c) General business

14. Special General Meetings (SGM)

a) The Committee may convene a Special General Meeting whenever it deems necessary.

b) The Committee shall convene an SGM upon written request of at least five members.

c) Such requests must:

- i) Be in writing (electronic means acceptable)
- ii) Be lodged with the Secretary
- iii) State the purpose of the meeting
- iv) Be signed by the requesting members
- v) May consist of multiple signed documents

d) Notice of the SGM, including agenda, shall be provided to members in writing at least 7 days prior.

e) Only business specified in the notice shall be transacted.

f) Quorum: at least 25% of members, including three Committee members.

g) Special Resolutions require a two-thirds majority.

15. Sub-Committees

The membership may, from time to time, elect people to sit on sub-committees for specific needs or projects. Sub-committees shall meet as they see fit and report all activity to the Committee and members at General Meetings.

16. Chairing of Meetings

The President, or in their absence the Vice-President, shall preside over all meetings. If both are absent or unwilling, another Committee member shall be nominated to chair the meeting.

17. Minutes of Meetings

The Secretary shall keep minutes of all meetings, signed by the Chair of that meeting (or of the subsequent meeting when adopted). Minutes may be kept in paper or electronic form, and may be signed electronically.

18. Voting at Meetings

Each member has one vote.

19. Casting Vote

In the event of an equality of votes, the Chair shall have a casting vote.

20. Rights of Unfinancial Members

Any member who becomes unfinancial shall not:

- a) Vote at any meeting of the Club
- b) Be eligible for team selection
- c) Be eligible for trophies or awards for on-field performance

21. Defaulting Members

Any member who becomes unfinancial may be listed with the Fairfield-Liverpool Cricket Association as a defaulter until monies owed are paid.

22. Funds – Source and Management

- a) The Club shall derive funds through membership fees (playing or social), grants, and donations.
- b) The Club is not-for-profit and will not distribute funds as dividends.
- c) All financial instruments shall be signed by at least two Committee members.
- d) All monies received in the Club's name shall be deposited in the Club's bank account promptly.
- e) Members shall be reimbursed for approved expenditure made on behalf of the Club, provided receipts are supplied.
- f) The Treasurer shall issue receipts for monies received (including electronic).
- g) The Treasurer must seek approval at a General Meeting for major expenditure and report minor expenditure for ratification. Members shall decide annually what constitutes "major expenditure."

23. Records and Accounts

- a) The Treasurer shall close the books on **30 June** each year. If revenue exceeds \$500,000, the books shall be audited by the Elected Auditor. The report shall be provided to the Committee before the AGM.
- b) Books, records, and accounts shall be kept at the Club's principal place of administration and may be inspected free of charge by any member at a reasonable time.
- c) The Secretary shall maintain a Register of Members (including email addresses if available). If kept electronically, a current hard copy must also be maintained at the Club's principal place of administration.

24. Members' Liability and Insurance

- a) Members' liability is limited to any unpaid membership fees.
- b) The Club may obtain insurance as deemed necessary by the Committee.

25. Discipline of Members

- a) If the Committee believes a member has acted prejudicially to the Club, it may convene a Special General Meeting to recommend by Special Resolution that the member be:
 - i) Removed from Office
 - ii) Suspended for a period
 - iii) Expelled from the Club
- b) The member(s) shall be given an opportunity to address the membership.
- c) Members disciplined have a right of appeal, to be lodged with the Secretary in writing within 7 days. Appeals must be on the grounds of new evidence or severity of penalty. The Secretary shall convene an SGM to hear the appeal, and members shall vote to uphold or dismiss. The decision is final.
- d) A member appealing retains full membership rights until the appeal is heard.

26. Coaches and Managers (Juniors)

Applicants must apply in writing. Coaches must hold, or agree to obtain, a minimum Level 1 Coaching accreditation and a Working With Children Check. The Committee shall decide appointments when multiple applicants apply.

27. Player Awards – Averages

To win an “averages” trophy or award in senior grades, minimum requirements are:

- 150 runs, or
- 20 wickets, across at least 7 games

Where a player competes in multiple grades, totals will be attributed to the grade in which they played the most games. The decision of the Committee is final.

29. Life Membership

- a) Members who have provided at least 10 years of service or playing history may be nominated for Life Membership.
- b) Nominations must be submitted in writing with a proposer and seconder, at least one month before the AGM.
- c) The Committee shall consider nominations and notify proposers/seconders whether the nomination will be recommended.
- d) Recommended nominations shall be put to the membership at the AGM.
- e) Life Membership requires a two-thirds majority vote by secret ballot.

30. Dissolution of the Club

- a) The Club may only dissolve by Special Resolution.
- b) No member has any rights or interest in the assets or property of the Club.
- c) On dissolution, the Public Officer shall follow the *Associations Incorporation Act 2009* (as amended). Any surplus assets must be transferred to another not-for-profit organisation with similar objectives.

31. Amendment of the Constitution

This Constitution may only be amended under the provisions of Rules **11(a)** and **13** (AGM or Adjourned AGM).