



**SOUTH AUSTRALIAN VETERANS CRICKET
ASSOCIATION INCORPORATED**

CONSTITUTION

South Australian Spirit of Cricket Preamble

The Preamble to the Laws of Cricket states that cricket is a game that owes much of its unique appeal to the fact that it should be played not only within the Laws but also within the Spirit of the Game.

As Veteran Cricketers, we make the South Australian Spirit of Cricket pledge:

We commit to contributing to an enduring legacy for South Australian cricket by ensuring it is played with honour, dignity and respect, in an enjoyable and safe environment for all.

Our Association's commitment to the Spirit of Cricket, and all that it stands for, not only applies to the Laws of the Game, but is also fundamental when applying our competition By-Laws.

We expect all members of our Association to uphold this commitment to the Spirit of Cricket.

1. NAME & COLOURS

1.1 The name of the Association is

SOUTH AUSTRALIAN VETERANS CRICKET ASSOCIATION INCORPORATED, in this Constitution referred to as the **Association**. The name may be changed only in the way that the Act permits.

1.2 The colours shall be Red, Blue and Gold, the State Colours.

1.3 The Association is affiliated with the South Australian Cricket Association and Veterans Cricket Australia.

2. INTERPRETATION

In this Constitution unless the context otherwise requires, the following terms have the following meanings:

Act means the *Associations Incorporation Act 1985 (SA)* as amended.

Annual General Meeting means a General Meeting of Members of the Association convened in accordance with clause 16.

Auditor means a person independent of the Association appointed by the Association to review and verify the accuracy of the Association's financial accounts to ensure that they are correct and comply with the law.

By-Laws means the by-laws of the Association.

Chairperson means a person appointed or elected to the office of Chairperson (or any similar title) of the Association in accordance with this Constitution.

Club means a cricket club registered as a Member of the Association.

Committee means the body of persons specified in clause 12.4.

Committee Member means a person elected or appointed as a member of the Committee.

Competition means any cricket competition conducted by the Association.

Cricket Coordinator means a person elected or appointed to the office of Cricket Coordinator of the Association in accordance with this Constitution, who will carry out the duties detailed in the By-Laws.

Delegate means a person appointed or elected by a Club to vote at a General Meeting. All Clubs shall appoint one (1) such Delegate for each competition in which they compete.

General Meeting means a meeting of the Members for the purpose of conducting the business of the Association and includes an Annual General Meeting, Special General Meetings and Other General Meetings.

Life Member means an individual who has been granted Life Membership of the Association in accordance with this Constitution.

Life Membership Sub-Committee means the committee established by the Association to oversee the inclusion of life members to the Association.

Meeting means any Meeting of Members of the Association convened in accordance with this Constitution.

Member means the Clubs registered with the Association.

Other General Meeting means a meeting called by the Committee to update Members, Playing Members and Life Members on the business of the Association.

Membership Fee means the sum payable by Members, as required and determined by the Committee from time to time.

Patron means a person appointed by the Committee to support the Association in an honorary capacity.

Playing Member means a member of a Club who qualifies under this Constitution and the By-Laws to play in one or more of the competitions held by the Association.

President means any person elected or appointed to the office of President of the Association. The President will provide leadership to the Association and will perform the duties as Chairperson of all General and Committee Meetings.

Public Officer means any person appointed by the Committee to perform the duties of a Public Officer of the Association.

Regulations means any regulations made under the Act.

Secretary means any person elected or appointed to perform the duties of Secretary of the Association as contemplated by the Act and includes an Assistant Secretary or any person appointed to act as Secretary temporarily.

Social Member means a supporter of the Association who pays a membership fee determined by the Committee.

Special General Meeting means a General Meeting of the Association specifically requested by Members, Playing Members and/or Life Members.

Treasurer means any person elected or appointed to perform the duties of Treasurer of the Association in accordance with this Constitution and the Act.

Vice President means any person elected or appointed to the office of Vice President of the Association in accordance with this Constitution. The Vice President will provide leadership to the Association and will assume the duties of Chairperson if the President is unable to do so.

3. MISSION STATEMENT

The Association is committed to conducting, promoting and administering veterans' cricket in South Australia. The Association provides a safe and friendly environment where all players are welcome, with the focus on participation. The Association also provides opportunities for members to play in regional, national and international competitions.

The Association is a member driven organisation that seeks and represents the interests of its members at a local, state and national level.

4. OBJECTS

4.1 To foster and promote the playing of cricket and related social activities for persons of the age as detailed in the By-Laws.

4.2 To enhance the health, welfare, and well-being of persons of the age as detailed in the By-Laws.

4.3 To do all lawful things and acts that will assist, promote and further the objects and interests of the Association.

5. POWERS

5.1 The Association shall have all the powers conferred by Section 25 of the Act.

6. MEMBERSHIP

6.1 Member

6.1.1 The Members of the Association, other than Social and Life Members shall be the Clubs.

- 6.1.2 Clubs become Members by both fulfilling the requirements laid down by the Committee and paying the Annual Membership Fee.

6.2 Playing Members

- 6.2.1 The Committee shall confer Playing Membership on all persons who have been registered by their respective Clubs and qualify to play as provided in the By-Laws.
- 6.2.2 Membership of Playing Members for a season shall commence from the date of receipt of the registration on the Association's digital administration platform and shall cease at the conclusion of the Annual General Meeting held after that season.
- 6.2.3 Playing Members shall be entitled to attend all General Meetings but shall not, unless otherwise qualified, be entitled to vote.

6.3 Social Member

- 6.3.1 Any person shall become a Social Member of the Association upon paying the appropriate Social Membership Fee.
- 6.3.2 A Social Member shall be entitled to attend all General Meetings but shall not, unless otherwise qualified, be entitled to vote.

6.4 Life Member

- 6.4.1 The Association may appoint Life Members from time to time as they see fit.
- 6.4.2 A Life Membership Sub-Committee shall be appointed at the discretion of the Committee and shall consist of the President or his Nominee and two (2) Life Members.
- 6.4.3 Any Member or group of Playing Members may nominate a candidate at any time to the Life Membership Sub-Committee.
- 6.4.4 Any nomination for life membership must be received at least two (2) months prior to its presentation and if accepted may be presented at any general meeting or end of season function.
- 6.4.5 The Life Membership Sub-Committee shall have regard for the nominees playing service and off field service for a minimum of seven (7) years. In exceptional circumstances, the Life Membership Sub-Committee may vary the length of service.
- 6.4.6 The Life Membership Sub-Committee shall make a recommendation to the Committee who shall have the power to accept or reject any nomination.
- 6.4.7 Life Members shall be entitled to attend all General Meetings but shall not, unless otherwise qualified, be entitled to vote.

6.5 Patron

- 6.5.1 The Committee may appoint a Patron of the Association. The Patron holds office on the terms and conditions as decided by the Committee. The Committee may remove a Patron in its absolute discretion.
- 6.5.2 The default appointment of the Patron shall be the Vice-President of the South Australian Cricket Association.
- 6.5.3 Before a person is appointed as a Patron, the Association must have received that person's written consent.
- 6.5.4 The Patron shall be entitled to attend all General Meetings but shall not, unless otherwise qualified, be entitled to vote.

7. FEES

- 7.1 Members must pay the Membership Fee to the Association by 31st October of that season.
- 7.2 The Committee may determine the amount of the Membership Fee from time to time.
- 7.3 The Committee may prescribe different amounts for, or defer or waive the requirement to pay, the Membership Fee in respect of any existing Member or Club applying to become a Member.

8. AGE REQUIREMENTS TO PLAY

- 8.1 A Player participating in any match of the Association must abide by the age requirement for that match as detailed in the By-Laws.
- 8.2 Any Player playing in any match organised at a national or other level must abide by the age requirements as set down by the organising body of that match.

9. RESIGNATION

- 9.1 A Member of any class may resign from membership of the Association in writing or electronically to the President or Secretary of the Association.
- 9.2 Any Member of any class resigning shall be liable for any outstanding debts owing to the Association.
- 9.3 The Association shall not be obliged to refund any part of the Membership Fee for the year in which the Member resigns.

10. DISPUTES AND MISCONDUCT

- 10.1 The Committee can hear and determine any allegation, complaint or charge involving a breach of this Constitution or any By-Laws or the Laws of Cricket or in respect of any matter affecting the interests of the Association or the game of cricket which may be made against any of the Members forming the Association or against any Playing Members, Life Members and Social Members of the Association in accordance with the By-Laws.
- 10.2 The Committee shall have power to impose fines or penalties in accordance with the By-Laws on any Member, Playing Member, Life Member or Social Member for any breach of the By-Laws or for the non-payment of fees by the due date of

any moneys due to the Association and shall have power to enforce such fines in such manner as it thinks fit. It also has the power to impose fines or penalties by way of censure, suspension, expulsion, disqualification or in any other manner whatsoever for any such breach or matter.

11. EXPULSION OF MEMBERS

- 11.1** The Committee may resolve to expel a Member upon a charge of misconduct detrimental to the interests of the Association, subject to giving the Member an opportunity to be heard or to make a written submission.
- 11.2** Particulars of the charge shall be communicated to the Member at least one calendar month before the meeting of the Committee, at which time the matter will be determined.
- 11.3** The determination of the Committee shall be communicated to the Member, and in the event of an adverse determination the Member shall, subject to clause 11.4, cease to be a Member, seven days after the Committee has communicated its determination to them.
- 11.4** It shall be open to a Member to appeal to the Association in a General Meeting against the expulsion. The intention to appeal shall be communicated to the President or Secretary of the Association within seven days after determination of the Committee has been communicated to the Member.
- 11.5** In the event of an appeal under clause 11.4, the appellant's membership of the Association shall not be terminated unless the determination of the Committee is upheld by Members in a General Meeting after the appellant has been heard, and in such event, membership will be terminated at the date of the general meeting at which the determination of the Committee is upheld.
- 11.6** The Association shall not be obliged to refund any part of any Annual Membership Fees paid by the expelled Member.

12. THE COMMITTEE

- 12.1** The affairs of the Association shall be managed and controlled exclusively by the Committee which in addition to any powers and authorities conferred by this Constitution may exercise all such powers and do all such things as are within the objects of the Association, and are not by the Act or by this Constitution required to be done by the Association at a General Meeting including the power to invite consultants when required from time to time with no voting rights.
- 12.2** Only Playing Members shall be eligible for election to the Committee.
- 12.3** The Committee shall have the power to appoint such officers and employees as are required to carry out the objects of the Association, including a Public Officer required by the Act, and may delegate any of its powers to such officers and employees.
- 12.4** Membership and election of the Committee.
 - 12.4.1** The Committee shall comprise a President, Vice President, Secretary, Treasurer and Cricket Coordinator elected from Playing Members for a term of two (2) years.

12.4.2 The bi-annual rotation of these Committee Members shall be the President and Treasurer elected in an odd numbered year and the Vice President, Secretary and Cricket Coordinator in an even numbered year.

12.4.3 The Committee shall also comprise two (2) Playing Members eligible to play in each age group of any competition conducted by the Association, who shall hold such positions for two (2) years.

12.4.4 The bi-annual rotation of these positions shall be that Playing Members from age divisions beginning with an odd number shall be elected in odd-numbered years and Playing Members from age divisions beginning with an even number shall be elected in even-numbered years.

12.5 Nominations of candidates for election as Committee members, shall be:

12.5.1 made in writing, signed by two Playing Members and accompanied by the written consent of the nominee, which may be endorsed on a form of nomination, prior to the Annual General Meeting: or

12.5.2 made and seconded verbally and accepted with the verbal consent of the nominee at the Annual General Meeting.

12.6 The Committee Members shall be elected at the Annual General Meeting by the Delegates who shall have one (1) vote each and in the event of equality of voting the Chairperson shall have a casting vote.

12.7 In the event of any vacancy not being filled or occurring, the Committee may appoint Playing Members to such positions.

12.8 If nominations exceed vacancies to be filled, then an election shall be held by ballot and two or more scrutineers, who shall be Playing Members, shall be appointed by the Chairperson of the meeting.

12.9 If only the required number of persons are nominated to fill any vacancies the Secretary shall report accordingly to the Annual General Meeting and the Chairperson shall declare such persons duly elected as Committee Members.

12.10 All retiring Committee Members shall be eligible for re-election.

13. PROCEEDINGS OF COMMITTEE MEETINGS

13.1 The Committee shall meet at least four times between Annual General Meetings to dispatch the business of the Association.

13.2 All meetings will be chaired by the President. If the President is unavailable, the Vice President will assume the duties as Chairperson. If both are unavailable, a Chairperson will be elected by a majority of Committee Members present.

13.3 The Committee may meet by telephone, electronically, in person or a combination of all or any of those forms provided that all Members to the meeting are in contact together and at the same time.

13.4 Each Committee Member present in person or electronically at any Committee meeting shall have one (1) vote.

- 13.5** Any decision at any Committee Meeting shall be decided by a majority of votes, and in the event of equality of votes the Chairperson shall have a casting vote in addition to a deliberative vote.
- 13.6** A quorum for a meeting shall be half the Committee Members eligible to vote.
- 13.7** A Committee Member having a conflict of interest in a contract with the Association must disclose that interest to the Committee as required by the Act and shall not vote with respect to that contract.
- 13.8** The Committee may make appointments or sub-committees as they see fit from time to time. Such appointments or memberships of such sub-committees need not be solely from Playing Members.

14. DISQUALIFICATION OR RETIREMENT

- 14.1** The office of a Committee Member shall become vacant if a Committee Member:
- 14.1.1 is disqualified by the Act;
 - 14.1.2 is expelled by these rules;
 - 14.1.3 dies;
 - 14.1.4 is permanently incapacitated to carry out the requirements of the Act;
 - 14.1.5 is absent without apology for three consecutive Committee Meetings without leave of absence; or
 - 14.1.6 notifies the Secretary in writing or electronically of their intention to retire.

15. BY-LAWS

The Committee shall be empowered to make By-Laws for the conducting the business and the administration of the Association, provided that such By-Laws are not inconsistent with the Constitution.

16. GENERAL MEETINGS

- 16.1** General Meetings will be held from time to time for the purpose of conducting the business of the Association. There will be three (3) forms of General Meetings:
- 16.2 ANNUAL GENERAL MEETING:** The Committee shall convene an Annual General Meeting of the Association not later than the thirty first (31st) day of October each year.
- 16.3** The Annual General Meeting of the Association shall deal with the:
- 16.3.1 Adoption of the minutes of the previous Annual General Meeting.
 - 16.3.2 Presentation and adoption of annual reports and financial statements.
 - 16.3.3 Election of all required Committee Members.
 - 16.3.4 Transaction of any other business.

16.3.5 Honoraria.

16.3.6 Appointment of an Auditor, who shall not be a Playing Member, Life Member or Social Member of the Association.

16.4 Only Playing Members present in person or electronically at the Annual General Meeting or who advise the Secretary as an apology prior to the starting time may stand for an Office Bearer or Committee position.

16.5 SPECIAL GENERAL MEETING: Upon a request in writing signed by not less than ten (10) Playing Members and Life Members, the Committee shall within one month of the receipt of the request, convene a Special General Meeting for the purpose specified in the requisition.

16.6 If a Special General Meeting is not convened within one month as required by clause 16.5, the requesters may convene a Special General Meeting. Such a meeting shall be convened in the same manner as a meeting convened by the Committee and for this purpose, the Committee shall ensure that the requesters are supplied free of charge with the particulars of the Members, Playing Members and Life Members entitled to receive a notice of a meeting. The reasonable expense of convening and conducting such a meeting shall be borne by the Association.

16.7 OTHER GENERAL MEETINGS: The Committee may convene Other General Meetings for the purposes of updating Members, Playing Members and Life Members on Association business.

17. PROCEEDINGS AT GENERAL MEETINGS

17.1 All General Meetings will be chaired by the President. If the President is unavailable, the Vice President will assume the duties as Chairperson. If both are unavailable, a Chairperson will be elected by a majority of Delegates present.

17.2 Playing Members, Life Members, Social Members and the Patron may attend all General Meetings and will have speaking rights.

17.3 Each Member will be represented at any General Meeting by their Delegate(s), who shall be entitled to vote. The names and details of the Delegates must be provided to the Chairperson or Secretary, prior to the General Meeting.

17.4 Each Delegate present in person or electronically at any General Meeting shall have one (1) vote and in the event of equality of voting the Chairperson shall have a casting vote.

17.5 All resolutions at a General Meeting shall unless otherwise stated in this Constitution be decided by a simple majority of Delegates' votes and voting shall be by show of hands unless a ballot is requested by any three Delegates or Playing Members present at a meeting.

17.6 If a ballot is demanded by the Chairperson of the meeting or by three or more Delegates or Playing Members present personally, it shall be taken in such manner as the Chairperson directs. Such ballot shall be decided by a simple majority vote.

- 17.7** Members, Playing Members and Life Members shall be given at least twenty-one (21) days' notice of every General Meeting.
- 17.8** Notice to Members shall be deemed effective if published in the Association's newsletter, posted on the Association's website or via the Association's digital communication platform.
- 17.9** Ten (10) Delegates shall constitute a quorum at any General Meeting.
- 17.10** If within thirty minutes after the time appointed for the meeting, a quorum of Delegates is not present, a meeting convened upon the requisition of Playing Members shall lapse. In any other case, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at such adjourned meeting a quorum is not present within thirty minutes of the time appointed for the meeting the Delegates present shall form a quorum.
- 17.11** The Chairperson may with the consent of any meeting at which a quorum is present, and shall be so directed by the meeting, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- 17.12** When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as if that meeting were an original meeting of Members.
- 17.13** A poll demanded on the election of a Chairperson of a meeting or on any question of an adjournment, shall be taken at the meeting and without adjournment.

18. MINUTES

- 18.1** Proper minutes of all proceedings of meetings of the Association and of meetings of the Committee, shall be entered within one month after the relevant meeting in a minute folder kept for that purpose.
- 18.2** The minutes kept pursuant to this rule shall be signed by the Chairperson of the meeting at which the proceedings took place or by the Chairperson of the next succeeding meeting.
- 18.3** Where minutes are entered, adopted, and signed, they shall until evidence held to the contrary is provided, be evidence that the meeting was convened and duly held, all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

19. FINANCIAL REPORTING

- 19.1** The financial year of the Association shall be the period ending on 30 June in each year.
- 19.2** The Association shall keep such accounting records as are necessary to correctly record and explain the financial transactions and position of the Association.
- 19.3** The accounts, together with the Auditor's report on the accounts, the Committee's statement and Committee's report shall be laid before the members at the Annual General Meeting.

19.4 Appointment of Auditor:

- 19.4.1 At each Annual General Meeting the members shall appoint a person to be Auditor of the Association.
- 19.4.2 The Auditor shall hold office until the next Annual General Meeting and is eligible for re-appointment.
- 19.4.3 If an appointment is not made at the Annual General Meeting the Committee shall appoint an Auditor for the current financial year.

19.5 The income and capital of the Association shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to members or their associates except as bona fide remuneration to a member for services rendered or expenses incurred on behalf of the Association.

20. AMENDMENT TO CONSTITUTION

- 20.1** Neither the name of the Association nor the provisions of this Constitution shall be altered except at a General Meeting of the Association.
- 20.2** Any such proposed amendment or alteration must be notified to the Members of the Association not less than twenty-one days prior to the proposed meeting.
- 20.3** No motion for such alteration or amendment shall be carried unless supported by at least three quarters of those Delegates present and entitled to vote.
- 20.4** Any such alteration or amendment shall be registered as required by the Act.

21. SEAL

- 21.1** The Association shall have a common seal upon which its corporate name shall appear in legible characters.
- 21.2** The seal shall not be used without the express authorisation of the Committee and every use of the seal shall be recorded in the minute book of the Association.
- 21.3** The affixing of the seal shall be used only by Committee Members and witnessed by two Members of the Committee of which at least one shall be the President or Secretary of the Association.
- 21.4** The seal shall be kept in the custody of the Secretary or such other person as the Committee may from time to time decide.

22. INDEMNITY

- 22.1** No Playing Member, Life Member, Social Member, organisation, other groups, official or Member of the Association shall have any claim, legal or otherwise, against the Association from any act or omission in the execution of their duties.
- 22.2** Any official, paid staff, Playing Member, Life Member, Social Member or volunteer of the Association acting under directions of the Association shall be indemnified by the Association against any liability properly incurred by that person on its behalf and shall have lien on the monies and property of the Association to secure such indemnity except losses brought about by those persons own dishonesty or negligence.

23. INTERPRETATION OF RULES

23.1 The registered rules of this Constitution shall bind the Association and every Member to the same extent as if they had respectively signed and sealed them, and agreed to be bound by all the provisions of them.

23.2 In the event of any question of interpretation as to the meaning of this Constitution or any By-Laws made under it, the Committee shall have the power to pronounce a decision which decision shall be final.

23.3 If any case arises which is not provided for in these rules it shall be determined by the Committee in such manner as they shall think fit and their decision shall be final.

24. WINDING UP OF THE ASSOCIATION

Any motion for the winding up of the Association shall be submitted pursuant to the terms of the Act and any regulations under the Act.

25. APPLICATION OF SURPLUS ASSETS

If after the winding up of the Association, there remains surplus assets as defined in the Act, such surplus assets shall be distributed to such other body or bodies in such proportions as shall be directed by the Members of the Association through their Delegates at a General Meeting called for that purpose provided that no Member shall be entitled to share in or receive any benefit from such net proceeds.

