



TOWNSVILLE CRICKET INCORPORATED ASSOCIATION RULES

1. INTERPRETATION

- (1) In these rules—

Act means the *Associations Incorporation Act 1981*.

- (2) A word or expression that is not defined in these model rules, but is defined in the Act has, if the context permits, the meaning given by the Act.
- (3) In these rules the powers of a corporate member are exercised by any one of the member's delegates.

2. NAME

The name of the incorporated association shall be "Townsville Cricket Incorporated" (in these rules called "the association")

3. OBJECTS

The objects for which the association is established shall be to foster, develop, promote and manage the game of cricket in the Townsville district.

4. POWERS

- (1) The association has the powers of an individual.
- (2) To subscribe to, become a member of and cooperate with any other association, club or organisation, whether or not, whose objects are altogether or in part similar to those of the association, but the association shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the association under or by virtue of rule 48;
- (3) In furtherance of the objects of the association to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the association or persons frequenting the association's premises;
- (4) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with any of the objects of the association, but in case the association shall take or hold any property which may be subject to any trusts the association shall only deal with the same in such manner as is allowed by law having regard to such trusts;
- (5) To enter into any arrangements with any government or authority that are incidental or conducive to the attainment of the

objects and the exercise of the powers of the association;

- (6) To obtain from any such government or authority any rights, privileges and concessions which the association may think it desirable to obtain; and to carry out , exercise and comply with any such arrangements, rights, privileges and concessions;
- (7) To appoint, employ, remove or suspend such managers, clerks, secretaries, employees and other persons as may be necessary or convenient for the purposes of the association;
- (8) To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in the furtherance of its objects;
- (9) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof;
- (10) To invest and deal with the money of the association not immediately required in such manner as may from time to time be thought fit;
- (11) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;
- (12) In furtherance of the objects of the association to lend and advance money or give credit to any person or body corporate;
- (13) To guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate;
- (14) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise ,or by mortgage, charge, lien or other security upon the whole or any part of the incorporated association's property or assets present or future and to purchase, redeem or pay-off any such securities;
- (15) To draw , make, accept, endorse, discount, execute and issue

promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;

- (16) In furtherance of the objects of the association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the association;
- (17) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the association's property of whatsoever kind sold by the association, or any money due to the association from purchasers and others;
- (18) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the association;
- (19) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the association, in the shape of donations, annual subscriptions or otherwise;
- (20) To print, publish any newspapers, periodicals, books or leaflets that the association may think desirable for the promotion of its objects;
- (21) In furtherance of the objects of the association to amalgamate with any 1 or more incorporated associations having objects altogether or in part similar to those of the association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the association under or by virtue of rule 48;
- (22) In furtherance of the objects of the association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the association is authorised to amalgamate;
- (23) In furtherance of the objects of the association to transfer all or any part of the property, assets, liabilities and engagements of the association to any one or more of the incorporated associations with which the association is authorised to amalgamate;
- (24) To make donations for patriotic, charitable or community purposes;
- (25) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged;
- (26) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the

association.

- (27) To preclude payment to an officer or employee of the association of an amount by way of commission or allowance calculated by reference to the quantity of liquor sold or supplied by the association or the receipts of the association for such liquor.

5. CLASSES OF MEMBERS

- (1) The membership of the association shall consist of the following classes of members:-

- (a) Corporate Members are incorporated entities, who have been elected as members of the association.

The current corporate members of the association are:

Brothers Cricket Club Inc

Wanderers Cricket Club Inc

Saints Cricket Club Inc

Suburban Parks Cricket and Vigoro Club Inc

Norths Cricket Club Inc

Townsville Western Suburbs Cricket Club Inc

Townsville Cricket Umpires Inc

Northern Beaches Cricket Club Inc

Corporate members have three votes at general meetings of the association, which are exercised through 3 appointed delegates. An appointed delegate must be a member of the corporate member.

- (b) Ordinary members are individual persons who are not members of a corporate member, or are not an associate member, who have been elected as Ordinary members of the association.

Ordinary members cannot vote at a general meeting of the association.

Ordinary members may be elected to the management committee.

Ordinary membership is a fixed term membership of one year and one calendar month.

- (c) Associate Members are persons who represent recognized associations (incorporated or unincorporated) whose purpose is to promote or develop the game of cricket and who have been elected as associate members of the association.

Recognised associations are:

School Cricket Administrators; and
Women's Cricket.

The number of associate members that may be elected from each recognized association are:

School Cricket - 1;

Women's cricket - 1.

Associate members are entitled to vote at a general meeting of the association.

Associate members cannot be elected to the management committee.

Associate membership is a fixed term membership of one year and one calendar month.

- (d) Life Members - are individual persons, who have been elected as life members of the association.

Life members cannot vote at a general meeting of the association unless they are a delegate of a corporate member.

Life members may be elected to the management committee.

- (4) A person cannot be a member of the Management Committee and a Delegate of a corporate member at the same time.
- (5) Members of the association (or their delegate) entitled to vote at any meeting of the association, or hold a position on the management committee, must be over 18 years of age.

(Amended by Resolution 26/6/2011)

6. NEW MEMBERSHIP

- (1) An application for membership (except life membership) of the association must be proposed by a member of the association (or a delegate of a corporate member) or a member of the management committee (the **proposer**) and seconded by another member of the association (or a delegate of a corporate member) or another member of the management committee (the **seconder**).
- (2) An application for membership must be—
- (a) in writing; and
 - (b) signed by the applicant and the applicant's proposer and seconder.
- (3) A person may be nominated for life membership in accordance

with Schedule A. The Schedule is part of these rules except that to the extent of any inconsistency the rules prevail.

7. MEMBERSHIP FEES

- (1) The membership fee for each class of membership —
 - (a) is the amount decided by the management committee from time to time; and
 - (b) is payable when, and in the way, the management committee decides.
- (2) A member of the incorporated association who, before becoming a member, has paid the members annual subscription for membership of the unincorporated association on or before a day fixed by the management committee, is not liable to pay a further amount of annual subscription for the period before the day fixed by the management committee as the day on which the next annual subscription is payable.

8. ADMISSION AND REJECTION OF MEMBERS (OTHER THAN LIFE MEMBERS)

- (1) The management committee must consider an application for membership at the next committee meeting held after it receives—
 - (a) the application for membership; and
 - (b) the appropriate membership fee for the application.
- (2) The management committee must ensure that, as soon as possible after the person applies to become a member of the association, and before the management committee considers the persons application, the person is advised—
 - (a) whether or not the association has public liability insurance; and
 - (b) if the association has public liability insurance—the amount of the insurance.
- (3) The management committee must decide at the meeting whether to accept or reject the application.
- (4) If a majority of the members of the management committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.
- (5) The secretary of the association must, as soon as practicable after the management committee decides to accept or reject an

application, give the applicant a written notice of the decision.

9. WHEN MEMBERSHIP ENDS

- (1) A member may resign from the association by giving a written notice of resignation to the secretary.
- (2) The resignation takes effect at—
 - (a) the time the notice is received by the secretary; or
 - (b) if a later time is stated in the notice—the later time.
- (3) The management committee may terminate a member's membership if the member—
 - (a) is convicted of an indictable offence; or
 - (b) does not comply with any of the provisions of these rules; or
 - (c) has membership fees in arrears for at least 2 months; or
 - (d) conducts itself, himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association.
- (4) Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- (5) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the committee must give the member a written notice of the decision.

10. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- (1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the person's intention to appeal against the decision.
- (2) A notice of intention to appeal must be given to the secretary within 1 month after the person receives written notice of the decision.
- (3) If the secretary receives a notice of intention to appeal, the secretary must, within 1 month after receiving the notice, call a

general meeting to decide the appeal.

11. GENERAL MEETING TO DECIDE APPEAL

- (1) The general meeting to decide an appeal must be held within 3 months after the secretary receives the notice of intention to appeal.
- (2) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (3) Also, the management committee and the members of the committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
- (4) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
- (5) If a person whose application for membership has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the membership fee paid by the person.
- (6) A person (including a corporate member) whose membership has been terminated cannot vote at a general meeting to decide an appeal.

12. REGISTER OF MEMBERS

- (1) The management committee must keep a register of members of the association.
- (2) The register must include the following particulars for each member—
 - (a) the full name of the member;
 - (b) the postal or residential address of the member;
 - (c) the date of admission as a member;
 - (d) the date of death or time of resignation of the member;
 - (e) details about the termination or reinstatement of membership;
 - (f) any other particulars the management committee or the members at a general meeting decide.
- (3) The register must be open for inspection by members of the association at all reasonable times.

- (4) A member must contact the secretary to arrange an inspection of the register.
- (5) However, the management committee may, on the application of a member of the association, withhold information about the member (other than the members full name) from the register available for inspection if the management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

13. PROHIBITION ON USE OF INFORMATION ON REGISTER OF MEMBERS

- (1) A member of the association (or in the case of a corporate member a member of that corporate member) must not—
 - (a) use information obtained from the register of members of the association to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes.
- (2) Sub rule (1) does not apply if the use or disclosure of the information is approved by the association.

14. APPOINTMENT OR ELECTION OF SECRETARY

- (1) The secretary must be an individual residing in Queensland who is a member (or in the case of a corporate member a member of that corporate member) of the association elected by the association as secretary; or
- (2) If a casual vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed in accordance with rule 20, or elected at a general meeting for the association, within 1 month after the vacancy happens.
- (3) In this rule— ***casual vacancy***, on a management committee, means a vacancy that happens when an elected member of the management committee resigns, dies or otherwise stops holding office.

15. REMOVAL OF APPOINTED SECRETARY

- (1) The management committee of the association may at any time remove a person appointed in accordance with rule 14(2) by the committee as the secretary.

16. FUNCTIONS OF SECRETARY

The secretary's functions include, but are not limited to—

- (a) calling meetings of the association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the president of the association; and
- (b) keeping minutes of each meeting; and
- (c) keeping copies of all correspondence and other documents relating to the association; and
- (d) maintaining the register of members of the association.

17. MEMBERSHIP OF MANAGEMENT COMMITTEE

- (1) The management committee of the association consists of a president, vice-president, treasurer, and secretary and any other members the association members elected at a general meeting.
- (2) Association members will elect the management committee through the application of voting rights exercised at a general meeting.
- (3) At each annual general meeting of the association, the members of the management committee must retire from office, but are eligible, on nomination, for re-election.
- (4) A member of the association (or a member of a corporate member) may be appointed to a casual vacancy on the management committee under rule 20.

(Amended by Resolution 26/6/2011)

18. ELECTING THE MANAGEMENT COMMITTEE

- (1) A member of the management committee may only be elected as follows—
 - (a) any 2 members of the association (or in the case of a corporate member any two delegates of the corporate member) may nominate another person (the ***candidate***) to serve as a member of the management committee;
 - (b) the nomination must be—
 - (i) In writing; and

- (ii) signed by the candidate and the persons who nominated him or her; and
 - (iii) given to the secretary at least 14 days before the annual general meeting at which the election is to be held;
 - (c) each member of the association present and eligible to vote at the annual general meeting may vote for 1 candidate for each vacant position on the management committee;
 - (d) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- (2) A person may be a candidate only if the person—
- (a) is a member of a corporate member, or is a member of a class of membership entitled to be elected to the management committee;
 - (b) is an adult; and
 - (c) is not ineligible to be elected as a member under section 61A of the Act.
- (3) A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the association for at least 7 days immediately preceding the annual general meeting.
- (4) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.
- (5) The management committee must ensure that, before a candidate is elected as a member of the management committee, the candidate is advised—
- (a) whether or not the association has public liability insurance; and
 - (b) if the association has public liability insurance—the amount of the insurance.

19. RESIGNATION, REMOVAL OR VACATION OF OFFICE OF MANAGEMENT COMMITTEE MEMBER

- (1) A member of the management committee may resign from the committee by giving written notice of resignation to the secretary. In the case of the secretary resigning the written notice must be given to the president.

- (2) The resignation takes effect at—
 - (a) the time the notice is received by the secretary, or in the case of the secretary resigning the time the notice is given to the president; or
 - (b) if a later time is stated in the notice—the later time.
- (3) A member may be removed from office at a general meeting of the association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- (4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (5) A member has no right of appeal against the member's removal from office under this rule.
- (6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

20. VACANCIES ON MANAGEMENT COMMITTEE

- (1) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another person eligible to be elected to the management committee to fill the vacancy until the next annual general meeting.
- (2) The continuing members of the management committee may act despite a casual vacancy on the management committee.
- (3) However, if the number of committee members is less than the number fixed under rule 23(1) as a quorum of the management committee, the continuing members may act only to—
 - (a) increase the number of management committee members to the number required for a quorum; or
 - (b) call a general meeting of the association.

21. FUNCTIONS OF THE MANAGEMENT COMMITTEE

- (1) Subject to these rules, the management committee has the general control and management of the administration of the affairs, property and funds of the association.
- (2) The management committee has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

Note—

The Act prevails if the association's rules are inconsistent with the Act—see section 1B of the Act.

- (3) The management committee may exercise the powers of the association—
 - (a) to borrow, raise or secure the payment of amounts in a way the members of the association decide; and
 - (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the associations property, both present and future; and
 - (c) to purchase, redeem or pay off any securities issued; and
 - (d) to borrow amounts from members and pay interest on the amounts borrowed; and
 - (e) to mortgage or charge the whole or part of its property; and
 - (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association; and
 - (g) to provide and pay off any securities issued; and
 - (h) to invest in a way the members of the association may from time to time decide.
- (4) For sub rule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by—
 - (a) the financial institution for the association; or
 - (b) if there is more than 1 financial institution for the association—the financial institution nominated by the management committee.
- (5) Expenditure on behalf of the association must be approved by a majority at a general or special general meeting of the association, save in the following cases:
 - (a) the Management Committee is sanctioned to approve the expenditure of a sum up to and including \$40,000 without the approval of a general or special general meeting, and
 - (b) the President of the association is sanctioned to approve the expenditure of a sum of up to and including

\$1000 without the approval of the management committee.

- (6) Any dealing involving real property (e.g. disposal, assignment, lease, or similar transaction) of the association must be approved by a majority at a general or special general meeting of the association.

22. MEETINGS OF THE MANAGEMENT COMMITTEE

- (1) Subject to this rule, the management committee may meet and conduct its proceedings as it considers appropriate.
- (2) The management committee must meet at least once every 2 months to exercise its functions.
- (3) The management committee must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the management committee.
- (5) The management committee may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (6) A committee member who participates in the meeting as mentioned in sub rule (5) is taken to be present at the meeting.
- (7) A question arising at a committee meeting is to be decided by a majority vote of members of the committee present at the meeting and, if the votes are equal, the question is decided in the negative.
- (8) A member of the management committee must not vote on a question about a contract or proposed contract with the association if the member has an interest in the contract or proposed contract and, if the member does vote, the members vote must not be counted.
- (9) The president is to preside as chairperson at a management committee meeting.
- (10) If there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, the vice-president is to preside. If the vice-president is not present, the members may choose 1 of their number to preside as chairperson at the meeting.

23. QUORUM FOR, AND ADJOURNMENT OF, MANAGEMENT COMMITTEE MEETING

- (1) At a management committee meeting, more than 50% of the members elected to the committee as at the close of the last general meeting of the members form a quorum.
- (2) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called on the request of members of the committee, the meeting lapses.
- (3) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called other than on the request of the members of the committee—
 - (a) the meeting is to be adjourned for at least 1 day; and
 - (b) the members of the management committee who are present are to decide the day, time and place of the adjourned meeting.
- (4) If, at an adjourned meeting mentioned in sub rule (3), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses

24. SPECIAL MEETING OF MANAGEMENT COMMITTEE

- (1) If the secretary receives a written request signed by at least 33% of the members of the management committee, the secretary must call a special meeting of the committee by giving each member of the committee notice of the meeting within 14 days after the secretary receives the request.
- (2) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.
- (3) A request for a special meeting must state—
 - (a) why the special meeting is called; and
 - (b) the business to be conducted at the meeting.
- (4) A notice of a special meeting must state—
 - (a) the day, time and place of the meeting; and
 - (b) the business to be conducted at the meeting.
- (5) A special meeting of the management committee must be held within 14 days after notice of the meeting is given to the members of the management committee.

25. MINUTES OF MANAGEMENT COMMITTEE MEETINGS

- (1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes, the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy.

26. APPOINTMENT OF SUBCOMMITTEES

Game Administration Committees (GACs)

- (1) There shall be two permanent sub-committees: a junior cricket sub-committee and a senior cricket sub-committee. Membership of each of these committees shall consist of one delegate from each corporate member of the Association and a chairperson who shall be a member of the management committee appointed by the management committee at its first meeting held after the annual general meeting.
- (2) The function of GAC's shall be to administer the running of junior and senior cricket competitions respectively. This includes:
 - Establishing season playing conditions and rules consistent with policy decisions of the management committee;
 - Co-ordinating representative fixtures;
 - Appointing representative team selectors, coaches and managers;
 - Appointing delegates to Tropic North and North Queensland Junior Cricket respectively;
 - Such other functions as delegated by the management committee in writing.
- (3) The chairperson of the GAC is responsible for the administration of the committee including the recording of minutes, circulating agendas etc.
- (4) Decisions of GAC's have no effect until ratified as consistent with policy by the management committee.

Other Committees

- (5) The management committee may appoint such other working subcommittee/s as it deems necessary consisting of members of the association or other person/s considered appropriate by the committee to help with the conduct of the associations operations. The functions and authority of working sub-committees shall be set out in writing by the management

committee.

- (6) A working subcommittee may elect a chairperson of its meetings. A chairperson is responsible for the administration of the sub-committee including the taking of minutes, circulating meeting agendas etc.
- (7) If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.

General

- (8) A member of a sub-committee who is not a member of the management committee is not entitled to vote at a management committee meeting.
- (9) A sub-committee may meet and adjourn as it considers appropriate.
- (10) A matter arising at a sub-committee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the chair of the sub-committee will exercise a casting vote.
- (11) A resolution of a sub-committee may be passed electronically provided that written records are tabled and annexed at the next available in-person meeting of the sub-committee.
- (12) A quorum of a GAC shall be two corporate member delegates plus the Chairperson.

27. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

- (1) An act performed by the management committee is taken to have been validly performed.
- (2) Sub rule (1) applies even if the act was performed when—
 - (a) there was a defect in the appointment of a member of the management committee; or
 - (b) a management committee member was disqualified from being a member.

28. RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING

- (1) A circulating resolution signed by each member of the management committee is as valid and effectual as if it had been passed at a committee meeting that was properly called and

held.

(2) A resolution mentioned in sub rule (1) may consist of several documents in like form, each signed by 1 or more members of the committee.

(3) This clause remains subject to the provisions contained in clause 22(6) above.

29. ANNUAL GENERAL MEETING

The annual general meeting must be held between the 1st May and the 30th June each year.

30. GENERAL MEETINGS

The management committee must convene at least three general meetings each year. The first is to be held following the annual general meeting, the second during the month of October and the third in the month of February.

31. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF LEVEL 1 INCORPORATED ASSOCIATIONS AND PARTICULAR LEVEL 2 AND 3 INCORPORATED ASSOCIATIONS

(1) This rule applies only if the association is—

- (a) a level 1 incorporated association; or
- (b) a level 2 incorporated association to which section 59 of the Act applies; or
- (c) a level 3 incorporated association to which section 59 of the Act applies.

(2) The following business must be conducted at each annual general meeting of the association—

- (a) receiving the association's financial statement and audit report, for the last reportable financial year;
- (b) presenting the financial statement and audit report to the meeting for adoption;
- (c) electing members of the management committee;
- (d) for a level 1 incorporated association—appointing an auditor or an accountant for the present financial year;
- (e) for a level 2 incorporated associations, or a level 3 incorporated association, to which section 59 of the Act applies—appointing an auditor, an accountant or an

approved person for the present financial year.

32. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF OTHER LEVEL 2 INCORPORATED ASSOCIATIONS

- (1) This rule applies only if the association is a level 2 incorporated association to which section 59A of the Act applies.
- (2) The following business must be conducted at each annual general meeting of the association—
 - (a) receiving the association's financial statement, and signed statement, for the last reportable financial year;
 - (b) presenting the financial statement and signed statement to the meeting for adoption;
 - (c) electing members of the management committee;
 - (d) appointing an auditor, an accountant or an approved person for the present financial year.

33. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF OTHER LEVEL 3 INCORPORATED ASSOCIATIONS

- (1) This rule applies only if the association is a level 3 incorporated association to which section 59B of the Act applies.
- (2) The following business must be conducted at each annual general meeting of the association—
 - (a) receiving the association's financial statement, and signed statement, for the last reportable financial year;
 - (b) presenting the financial statement and signed statement to the meeting for adoption;
 - (c) electing members of the management committee.

34. NOTICE OF GENERAL MEETING

- (1) The secretary must call general meetings of the association as prescribed by these rules.
- (2) The secretary must give at least 14 days notice of the meeting to each member of the association.
- (3) If the secretary is unable or unwilling to call the meeting, the president must call the meeting.

- (4) The management committee may decide the way in which the notice must be given.
- (5) However, notice of the following meetings must be given in writing—
 - (a) a meeting called to hear and decide the appeal of a person against the management committee's decision—
 - (i) to reject the person's application for membership of the association; or
 - (ii) to terminate the person's membership of the association;
 - (b) a meeting called to hear and decide a proposed special resolution of the association.
- (6) A notice of a general meeting must state the business to be conducted at the meeting.

35. QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING

- (1) The quorum for a general meeting is at least 50% of the persons entitled to vote at a general meeting.
- (2) No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.
- (3) If there is no quorum within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the association, the meeting lapses.
- (4) If there is no quorum within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the association—
 - (a) the meeting is to be adjourned for at least 7 days; and
 - (b) the management committee is to decide the day, time and place of the adjourned meeting.
- (5) The chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (6) If a meeting is adjourned under sub rule (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (7) The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- (8) If a meeting is adjourned for at least 30 days, notice of the

adjourned meeting must be given in the same way notice is given for an original meeting.

36. PROCEDURE AT GENERAL MEETING

- (1) A member (or a delegate of a corporate member) may only take part and vote in a general meeting in person.
- (2) At each general meeting—
 - (a) the president is to preside as chairperson; and
 - (b) if there is no president or if the president is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the vice-president is to preside. If the vice-president is not present or unable to preside, the members present must elect 1 of their number to be chairperson of the meeting; and
 - (c) the chairperson must conduct the meeting in a proper and orderly way.

37. VOTING AT GENERAL MEETING

- (1) At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the persons entitled to vote.
- (2) Each person present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the matter is decided in the negative.
- (3) A member (or delegate) is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.
- (4) The method of voting is to be decided by chairperson.
- (5) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.
- (6) If a secret ballot is held, the chairperson must appoint a person not entitled to vote to conduct the secret ballot in the way the chairperson decides.
- (7) The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held.

38. SPECIAL GENERAL MEETING

- (1) The secretary must call a special general meeting by giving each member of the association notice of the meeting within 14 days after—

- (a) being directed to call the meeting by the management committee; or
 - (b) being given a written request signed by—
 - (i) at least 33% of the number of members of the management committee when the request is signed; or
 - (ii) at least the number of persons entitled to vote at a general meeting of the association equal to double the number of members of the association on the management committee when the request is signed plus 1; or
 - (c) being given a written notice of an intention to appeal against the decision of the management committee—
 - (i) to reject an application for membership; or
 - (ii) to terminate a person's membership.
- (2) A request mentioned in sub rule (1) (b) must state—
- (a) why the special general meeting is being called; and
 - (b) the business to be conducted at the meeting.
- (3) A special general meeting must be held within 3 months after the secretary—
- (a) is directed to call the meeting by the management committee; or
 - (b) is given the written request mentioned in sub rule (1) (b); or
 - (c) is given the written notice of an intention to appeal mentioned in sub rule (1) (c).
- (4) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.

39. PROXIES

[NOT APPLICABLE]

40. MINUTES OF GENERAL MEETINGS

- (1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes—
 - (a) the minutes of each general meeting must be signed by

- the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and
- (b) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.
- (3) If asked by a member of the association, the secretary must, within 28 days after the request is made—
- (a) make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place; and
 - (b) give the member copies of the minutes of the meeting.
- (4) The association may require the member to pay the reasonable costs of providing copies of the minutes.

41. BY-LAWS

- (1) The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.
- (2) A by-law may be set aside by a vote of members at a general meeting of the association.

42. ALTERATION OF RULES

- (1) Subject to the Act, these rules may be amended, repealed or added to by a resolution carried at a general meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by the chief executive.

43. COMMON SEAL

- (1) The management committee must ensure the association has a common seal.
- (2) The common seal must be—
 - (a) kept securely by the management committee; and
 - (b) used only under the authority of the management committee.
- (3) Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by—

- (a) the secretary; or
- (b) another member of the management committee; or
- (c) someone authorised by the management committee.

44. FUNDS AND ACCOUNTS

- (1) The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.
- (2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
- (3) All expenditure must be approved or ratified at a management committee meeting.

45. GENERAL FINANCIAL MATTERS

- (1) On behalf of the management committee, the treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement and audit report for its last reportable financial year is prepared for presentation at the annual general meeting in accordance with rule 31.
- (2) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

46. DOCUMENTS

The management committee shall provide for the safe custody of books, documents, instruments of title and securities of the association.

47. FINANCIAL YEAR

The end date of the association's financial year is **30th day of April** in each year.

48. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

- (1) This rule applies if the association—
 - (a) is wound-up under part 10 of the Act; and
 - (b) has surplus assets.
- (2) The surplus assets must not be distributed among the members

of the association.

- (3) The surplus assets must be given to another entity—
 - (a) having objects similar to the association's objects; and
 - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
- (4) For the purposes of this rule **surplus assets** is defined in section 92(3) of the Act.

SCHEDULE 1

Life Membership Rules

Life Membership is conferred on a member in recognition of their contribution to Townsville Cricket (TC) and the game.

Nomination

Nominations for Life Membership may be forwarded in writing to the Secretary of TC by the 1st of February of each year.

Any current member of TC or member of the MC may nominate a person for Life Membership.

Nominations should include the reasons for putting forward the person for Life Membership.

Election of Life Members

A person cannot become a Life Member of Townsville Cricket unless elected in the following manner.

A person's nomination for Life Membership shall be considered first by the Management Committee. If a majority of the total membership of the MC recommend the nomination it shall be referred to a general meeting for consideration.

A person is elected as a Life Member of TC if a majority at a general meeting approve the nomination.

A person who has been nominated for Life Membership cannot vote on their nomination.

Criteria for deciding Life Membership

A person is not eligible to be elected as a life member of TC if the person has been convicted of a criminal offence and any rehabilitation period (as defined under law) in relation to the conviction has not expired. If a person is an existing life member and is convicted of a criminal offence their membership of Townsville Cricket ceases until any rehabilitation has expired.

A person is eligible to be elected as a life member if they have been – (a) a financial Member of TC, or (b) a member of a corporate member of TC, or (c) a member of a recognized association for at least five years.

The following criteria are relevant, but not determinative, of whether a person is elected as a Life Member:

- Length of service on the TC Management Committee;
- Length of service to Townsville Cricket;
- A combination of the above two criteria; and/or
- A significant contribution to the benefit of TC.

Satisfaction of the criteria described above does not infer automatic

granting of Life Membership. These criteria are for the guidance of the TC Management Committee and general meeting when assessing nominations.

The criteria described above may be adjusted in extreme circumstances, including but not limited to posthumous Life Membership.

Award

A Life Member of TC is a fully financial member of TC for life.

A Life Member of the TC will be presented with a plaque/medallion at the TC Presentation Night and their name shall be recorded on the TC Honour Board.