

**THE AUSTRALIAN NATIONAL UNIVERSITY CRICKET CLUB  
INCORPORATED**

**CONSTITUTION**



**21 August 2023**

**Australian National University Cricket Club Incorporated**  
**An association incorporated pursuant to the *Associations Incorporation Act 1991* (ACT)**

## **DIVISION I : GENERAL**

### **Australian National University Cricket Club**

1. The Australian National University Cricket Club Incorporated (**ANUCC**) is established by this Constitution.
2. Notwithstanding its incorporation, ANUCC is an affiliated club of the Australian National University Sports and Recreation Association (**ANU Sport**).

### **Colours**

3. The colours of ANUCC are Royal Blue, Gold, and White.
4. ANUCC uniforms may incorporate Navy Blue.

### **Objects**

5. The objects of ANUCC are:
  - (a) to provide opportunities for the community of Australian National University students and alumni, and the community that neighbours and interacts with the Australian National University, to play cricket;
  - (b) to facilitate and administer participation of ANUCC Members in cricket competitions, programs and related activities; and
  - (c) to co-operate with any person or organisation for those purposes.

## **DIVISION II : MEMBERSHIP**

### **Membership**

6. ANUCC Membership is divided into four categories:
  - (a) Senior Playing Member;
  - (b) Junior Playing Member
  - (c) Non-playing Member;
  - (d) Life Member,(together, **ANUCC Members**)
7. A person who is an ANUCC Member at the time of incorporation of the ANUCC will continue to be an ANUCC Member until that person ceases to be an ANUCC Member in accordance with clause 14.
8. The Committee must maintain a register of all current ANUCC Members.

### **Application for ANUCC Membership**

9. A person may apply to be an ANUCC Member by
  - (a) providing the Committee with such information and in such format as required by the Committee for the category of ANUCC Membership applied for; and
  - (b) if required by the Committee, paying the Fees (see clause 61) applicable to the category of ANUCC Membership applied for.
10. A person may not apply to be a Senior Playing Member unless they are, or agree to become, a member of ANU Sport.

*(Note: Information regarding membership of ANU Sport can be obtained from ANU Sport, located in Building 19 (David Cocking Sport & Recreation Centre), North Road, Australian National University.)*

### **Acceptance of ANUCC Membership**

11. The Committee may accept or reject an application for ANUCC Membership in its discretion.

### **Rights of Membership**

12. In addition to any right conferred on an ANUCC Member under this Constitution, an ANUCC Member has the right to:
- (a) notice of meetings and to attend certain meetings in accordance with this Constitution;
  - (b) receive a copy of any report or other document tabled at a General Meeting of ANUCC;
  - (c) participate in competition cricket matches as a representative of ANUCC, subject to the terms of any relevant ANUCC Rule relating to selection for participation in competition matches;
  - (d) participate in cricket programs and cricket related activities facilitated and/or administered by ANUCC subject to the terms of any relevant ANUCC Rule.

### **Membership entitlements not transferable**

13. A right, privilege or obligation that a person has because of being a member of ANUCC:
- (a) cannot be transferred or transmitted to another person; and
  - (b) terminates on cessation of the person's membership.

### **Cessation of ANUCC Membership**

14. A person ceases to be an ANUCC Member if the person:
- (a) dies;
  - (b) resigns from ANUCC Membership;
  - (c) has their ANUCC Membership cancelled by ANUCC;
  - (d) other than in the case of a Life Member, has failed to renew their ANUCC Membership prior to the 1<sup>st</sup> day of October; or
  - (e) in the case of a Senior Playing Member, is rejected for membership of ANU Sport or ceases to be a member of ANU Sport.

### **Life Membership**

15. The Committee may confer Life Membership on a member who has given outstanding services to ANUCC as a player and/or an administrator.
16. Should a Life Member participate in competition cricket matches as a representative of ANUCC or cricket programs or cricket related activities facilitated and/or administered by ANUCC, they must be a member of ANU Sport.

## **DIVISION III : COMMITTEE**

### **Management**

17. Subject to any resolution passed at any General Meeting, or to any provisions of this Constitution, the Committee:
- (a) controls and manages the affairs of ANUCC; and
  - (b) may do all things that may be done by the ANUCC other than those things that are required to be done by the ANUCC Members in General Meeting, including do all things that are decided by the Committee to be necessary or desirable for the proper management of the affairs of ANUCC and may do all things it has the power to do in the way and manner that it considers appropriate.

### **Committee Structure**

18. Subject to clauses 19(a) and (b), the size and structure of the Committee will be decided annually by the Annual General Meeting.
19. The Committee will comprise:
- (a) at least three (3) office bearers, being a
    - (i) President;
    - (ii) Secretary; and
    - (iii) Treasurer
- and

- (b) two (2) other members of the Committee (who may be elected to an office as decided by the Annual General Meeting or will otherwise be Ordinary Members of the Committee),

(together the **Executive**)

and

- (c) any other member or members of the Committee (as decided by the Annual General Meeting in accordance with clause 18)

each and all of whom must be elected or appointed in accordance with this Constitution.

- 20. The Committee structure in place and its members at the time of incorporation of the ANUCC will continue until such time as its structure or members are changed in accordance with this Constitution.

#### **Election of Committee members**

- 21. An ANUCC Member, other than a Junior Playing Member, may nominate for and is eligible for election to the Committee in the way decided by the Committee.
- 22. The ballot for the election of Committee members will be conducted at the Annual General Meeting in the way decided by the Committee.
- 23. Each elected member of the Committee is a member of the Committee from the conclusion of the Annual General Meeting at which they are elected until, subject to this Constitution, the conclusion of the Annual General Meeting following the date of their election but is eligible for re-election.
- 24. If there is a vacancy in the membership of the Committee, the Committee may by resolution appoint an ANUCC Member, other than a Junior Playing Member, to fill the vacancy and they are a member of the Committee from the date of that appointment until, subject to this Constitution, the conclusion of the next Annual General Meeting after the date of the appointment or may decide to leave the position vacant, provided that at all times there is an Executive.

#### **Removal of Committee members**

- 25. The ANUCC may by resolution of a General Meeting remove any Committee member from the Committee before the Annual General Meeting.

#### **Committee vacancy**

- 26. A vacancy in the membership of the Committee occurs if a Committee member:
  - (a) ceases to be an ANUCC Member;
  - (b) resigns from the Committee;
  - (c) is removed from the Committee in accordance with clause 25; or
  - (d) is absent without the consent of the Committee from all meetings of the Committee held during a period of six (6) months.

## **DIVISION IV : MEETINGS**

#### **Chair**

- 27. The Chair of all Committee Meetings and General Meetings of the ANUCC will:
  - (a) be the President, or in their absence, a Committee Member chosen by the majority of the meeting;
  - (b) have a deliberative and casting vote, and
  - (c) have absolute authority on every point of order.

#### **Annual General Meeting**

- 28. The Annual General Meeting of the Club, of which at least seven (7) days' notice must be given to all ANUCC Members, must be held prior to the end of the month of August in each and every year at a time and place determined by the Committee.

#### **Special General Meeting**

- 29. A Special General Meeting, of which at least seven (7) days' notice must be given, may be called:
  - (a) at the discretion of the President, the Secretary or the Committee;
  - (b) upon receipt by the Secretary of a written request for a Special General Meeting, signed by at least ten (10) ANUCC Members (other than Junior Playing Members); or

- (c) in the case of an amendment to the Constitution having been proposed in accordance with this Constitution.

### **Notice of General Meetings**

- 30. Notice of Annual and Special General Meetings shall be deemed to have been given by:
  - (a) the placing of a notice at ANU Sport (Building 19 (David Cocking Sport & Recreation Centre) North Road, Australian National University);
  - (b) publishing a notice on the ANUCC website ([www.anucc.act.cricket.com.au](http://www.anucc.act.cricket.com.au) or any site that replaces it); and
  - (c) sending a notice to each ANUCC Member at the ANUCC Member's email address and/or postal address included in the register of ANUCC Members,specifying the place, commencement time, date and agenda of such meetings.

### **Committee Meetings**

- 31. The Committee will meet when requested by the Secretary and as often as required to efficiently manage the affairs of the ANUCC.

### **Notice of Committee meetings**

- 32. Notice of Committee Meetings must be given to all Committee members at least seven (7) days in advance of the meeting, by the Secretary.
- 33. The Committee may meet on less than seven (7) days' notice with the consent of all Committee members.
- 34. Nothing in this Constitution:
  - (a) requires a Committee meeting to be held in person; or
  - (b) prevents the Committee from making a decision by consensus outside of a Committee meeting provided that all Committee members are given reasonable time to consider the matters the subject of decision and reasonable time and opportunity to contribute to the decision making process.

### **Quorum and voting**

- 35. No business will be considered nor any resolution passed at any meeting unless a quorum of ANUCC Members is present.
- 36. An ANUCC Member who has appointed a proxy under clause 39 will not be considered present at a meeting for the purposes of determining a quorum.
- 37. A quorum comprises:
  - (a) twelve (12) ANUCC Members, other than Junior Playing Members, at a General Meeting, or
  - (b) three (3) Committee Members including at least two (2) members of the Executive at a Committee Meeting.
- 38. Except for a vote to amend the Constitution (in accordance with clause 83), at any Committee Meeting or General Committee a resolution will be passed if it is approved by a majority of voting Committee Members or ANUCC Members.

### **Appointment of proxies**

- 39. Subject to clause 40, for a General Meeting, each ANUCC Member (other than a Junior Playing Member) is entitled to appoint another ANUCC Member (other than a Junior Playing Member) as proxy by notice given to the Secretary no later than twenty four (24) hours before the notified commencement time of the meeting.
- 40. No ANUCC Member may be appointed as proxy for more than one (1) ANUCC Member at any General Meeting.
- 41. The notice appointing the proxy must be in the form notified by the Secretary at the time notice of the General Meeting.

## **DIVISION V : SUB-COMMITTEES AND ANUCC RULES**

### **Sub - Committees**

- 42. The Committee may establish any Sub-Committees of the ANUCC it considers necessary or desirable to assist it with the proper management of the affairs of the ANUCC.

43. Sub-Committees will be constituted by, conduct their business and exercise and carry out their powers and duties in accordance with any written directions of the Committee.
44. Sub-Committees may include persons who are not ANUCC Members, but those persons may only contribute to the Sub-Committee in an advisory way and have no decision making or voting powers.

#### **ANUCC Rules**

45. The Committee has the power to make, amend or repeal any ANUCC Rule as the Committee thinks fit, provided that any doing so is not inconsistent with this Constitution.
46. Any ANUCC Rule in operation at the time of incorporation of the ANUCC will continue to be an ANUCC Member until such time it is repealed by the Committee in accordance with this Constitution.
47. If the Committee makes, amends or repeals an ANUCC Rule, notice must be given to all ANUCC Members and a copy of the ANUCC rule, the amendment or a notice of repeal must be published on the ANUCC website ([www.anucricket.com.au](http://www.anucricket.com.au) or any site that replaces it).
48. ANUCC Members may object to the making, amendment or repeal of an ANUCC Rule within seven (7) days, in which case the Committee may either revoke or remake the ANUCC Rule, the amendment or the repeal.
49. If the Committee remakes an ANUCC Rule, an amendment to an ANUCC Rule or a repeal of an ANUCC Rule, it must notify ANUCC Members of the remade ANUCC Rule, amendment or repeal and publish it in accordance with clauses 45 and 46.
50. An ANUCC Rule or an amendment to an ANUCC Rule will be binding on all ANUCC Members, the Committee and any Sub-Committee if no objection to it is received within seven (7) days of notice being given and publication on the website in accordance with clauses 45 and 46.

## **DIVISION VI : DUTIES OF EXECUTIVE MEMBERS**

### **President**

51. The duties of the President are:
  - (a) to exercise control and direction over the Committee; and
  - (b) to generally direct the affairs of the ANUCC.

### **Secretary**

52. The duties of the Secretary are:
  - (a) to convene all General Meetings and Committee meetings and record the proceedings of such meetings,
  - (b) unless responsibility has been delegated to another Member, to be the ANUCC's point of contact with all organisations with which the Club is affiliated or associated,
  - (c) unless responsibility has been delegated to another Member, to keep all books and necessary records of the Club other than financial books and records; and
  - (d) to prepare the Annual Report and present it at the Annual General Meeting.

### **Treasurer**

53. The duties of the Treasurer are:
  - (a) to keep proper books and records of account;
  - (b) to arrange for the collection of all moneys due to the ANUCC;
  - (c) to pay all moneys received on behalf of the ANUCC into the ANUCC account(s), and to issue official receipts for all moneys so received;
  - (d) to prepare for each Committee meeting a report of the ANUCC's financial position;
  - (e) arrange for an annual audit of the ANUCC's books and record of account; and
  - (e) to prepare a Treasurer's Report for presentation at the Annual General Meeting.

## DIVISION VII : DELEGATES TO ACT CRICKET ASSOCIATION

### Delegates to the ACT Cricket Association

54. The ANUCC must nominate, from time to time, ANUCC Members, other than Junior Playing Members, as delegates to the ACT Cricket Association.
55. The number of delegates to the ACT Cricket Association will be determined by that Association.
56. The duties of a delegate are to:
  - (a) attend all meetings of the ACT Cricket Association as required;
  - (b) vote at the meetings of the ACT Cricket Association in accordance with ANUCC policy; and
  - (c) report to the Committee on matters dealt with at the ACT Cricket Association meetings.

## DIVISION VIII : FINANCES

### Bank

57. The Committee must cause for one or more accounts with a bank or building society to be opened and maintained in the name of the ANUCC (**ANUCC Account**).
58. Subject to clause 59, all moneys received by ANUCC must be deposited into an ANUCC Account.
59. The Committee may hold up to \$2500 cash to allow for the payment of incidental and minor costs.

### Withdrawals and payments of money

60. Withdrawals of money from an ANUCC Account or payments made on behalf of the ANUCC may only be made with the authority of two (2) or more Committee members.

### Membership Fees

61. At the Annual General Meeting, the ANUCC Membership fees (**Membership Fees**) for the next Membership year will be determined and all ANUCC Members will be required to pay such fees by such dates as determined by the Committee.
62. No Life Member will be required to pay any Membership Fees, but may be required to reimburse ANUCC for other fees, charges or other expenses paid by it on the Life Members behalf, including, wot.

### Members' liabilities

63. The liability of a member to contribute towards the payment of the debts and liabilities of ANUCC or the costs, charges and expenses of the winding up of ANUCC is limited to the amount (if any) of unpaid Membership Fees as required by clause 61.

### Indemnity

64. Any ANUCC Member performing an act within the scope of their duties and at the request of the Committee is indemnified by ANUCC against any out-of-pocket expenses, losses or damages incurred by them in performance of those duties to the extent the Committee considers appropriate in the circumstances.

### Financial Year

65. The financial year of the ANUCC ends on the 30<sup>th</sup> day of June each year.

### Financial statements

66. The Annual Statement of Receipts and Expenditure and Statement of Assets and Liabilities must be prepared and presented to ANU Sport at the times requested by ANU Sport.
67. Financial Statements must be presented as part of the Treasurer's Report at the Annual General Meeting.

## DIVISION IX : DISCIPLINE

### Discipline

68. If the Committee believes that an ANUCC Member has:
  - (a) breached any of the provisions of this Constitution;
  - (b) breached an ANUCC Rule;

- (c) breached a rule or policy of the ACT Cricket Association, ANU Sport, or the rules or policy of any organisation with which the ANUCC is affiliated or associated; or
  - (d) has brought, or has acted in a way that may bring, discredit or disrepute on ANUCC, the ACT Cricket Association, ANU Sport or the Australian National University,  
the Committee may, by resolution:
    - (e) expel the ANUCC Member from ANUCC; or
    - (f) suspend the ANUCC Member from any or all of the rights and privileges of ANUCC Membership that the Committee for a specified period.
69. A resolution of the Committee under clause 68 is of no effect unless and until the Committee, at a meeting held not earlier than fourteen (14) days and not later than twenty eight (28) days after service on the ANUCC Member of a notice under clause 70, confirms the resolution in accordance with this Division X.
70. If the Committee passes a resolution under clause 68, the Secretary must, as soon as practicable, serve a written notice on the ANUCC Member:
- (a) setting out the resolution of the Committee and the grounds on which it is based; and
  - (b) stating that the member may address the Committee at a meeting to be held not earlier than 14 days and not later than twenty eight (28) days after service of the notice; and
  - (c) stating the date, place and time of that meeting; and
  - (d) informing the member that the member may do either or both of the following:
    - a. attend and speak at that meeting;
    - b. submit to the Committee at or before the date of that meeting written representations relating to the resolution.
71. Subject to section 50 of the *Associations Incorporation Act 1991* (ACT) at a meeting of the Committee mentioned in clause 69, the Committee must:
- (a) give to the ANUCC Member referred to in clause 68 an opportunity to make oral representations; and
  - (b) give due consideration to any written representations submitted to the Committee by that ANUCC Member at or before the meeting; and
  - (c) by resolution decide whether to confirm or to revoke the resolution of the Committee made under clause 68.
72. If the Committee confirms a resolution under clause 71 the Secretary must, within seven (7) days after that confirmation, by written notice inform the ANUCC Member of that confirmation and of the ANUCC Member's right of appeal under clause 74.
73. A resolution confirmed by the Committee under clause 71 does not take effect:
- (a) until the end of the period within which the ANUCC Member is entitled to appeal against the resolution if the ANUCC Member does not exercise the right of appeal within that period; or
  - (b) if within that period the ANUCC Member exercises the right of appeal, unless and until the association confirms the resolution in accordance with clause 77
- (Note: Clause 73 does not limit the powers of the Committee or any Sub-committee established under clause 42 from exercising any right it has in relation to ANUCC Member referred to in clause 68 under an ANUCC Rule provided that the exercise of that right does not amount to the suspension of the ANUCC Member from any or all of the rights and privileges of ANUCC Membership.)*
74. An ANUCC Member may appeal to ANUCC in Special General Meeting against a resolution of the Committee that is confirmed under clause 71 within seven (7) days after notice of the resolution is served on the ANUCC Member, by lodging with the Secretary a notice to that effect.
75. On receipt of a notice under clause 74, the Secretary must notify the Committee which must call a Special General Meeting of the ANUCC to be held within twenty one (21) days after the date when the Secretary received the notice or as soon as possible after that date.
76. Subject to section 50 of the *Associations Incorporation Act 1991* (ACT) at, at a Special General Meeting of ANUCC called under clause 75:
- (a) no business other than the question of the appeal may be transacted; and
  - (b) the Committee and the ANUCC Member must be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and



- (c) the ANUCC Members present with a right to vote under this Constitution must vote by secret ballot to pass a resolution on the question of whether the resolution made under clause 68 should be confirmed or revoked.

- 77. If the meeting passes a resolution in favour of the confirmation of the resolution made under clause 75, that resolution is confirmed.

## **DIVISION X: MISCELLANEOUS**

### **Custody of books**

- 78. Subject to the *Associations Incorporation Act 1991* (ACT), the *Associations Incorporation Regulation 1991* (ACT) and this Constitution, the Secretary must keep in their custody or under their control all records, books, and other documents relating to ANUCC.

### **Inspection of books**

- 79. The records, books and other documents of ANUCC must be made available for inspection at a place in the ACT, free of charge, by an ANUCC Member at any reasonable time on reasonable notice.

### **37 Service of notice**

- 80. ANUCC may serve a notice on an ANUCC Member by sending it to the ANUCC Member at the ANUCC Member's email address and/or postal address included in the register of ANUCC Members.

### **Amendment to Constitution**

- 81. An amendment to this Constitution may be proposed:
  - (a) by the Committee; or
  - (b) by at least two (2) Committee Members;
  - (c) or by at least five (5) ANUCC Members (other than Junior Playing Members).
- 82. The proposal must be given to the Secretary at least ten (10) days before a scheduled Special General Meeting or Annual General Meeting and if no Special General Meeting has been scheduled the Secretary will call such a meeting on a date not less than ten (10) days from the receipt of the proposal.

### **Making of Amendment**

- 83. A proposed amendment will be made if, at a General Meeting, such amendment is approved by a two thirds majority of ANUCC Members present and voting.

### **Inconsistent Provisions**

- 84. The ANUCC is affiliated with ANU Sport and anything in this Constitution, or any act of the Committee or its members which is inconsistent with the constitution of ANU Sport is of no effect to the extent of the inconsistency.
- 85. The ANUCC is affiliated with the ACT Cricket Association and anything in this Constitution, or any act of the Committee or its members which is inconsistent with the constitution of the ACT Cricket Association is of no effect to the extent of the inconsistency.