

South Brisbane District Cricket Club Inc.

Name

1. The name of the incorporated association will be "South Brisbane District Cricket Club Inc" (**the Club**).

Objects

2. The objects of the Club are:
 - (a) To promote the game of cricket within the boundaries of the Club.
 - (b) To co-operate with Queensland Cricket Association Ltd (**the Association**) in the implementation of the objects of the Association.
 - (c) To control and manage in every way consistent with the Articles of Association, By-laws and Regulations of the Association the cricket teams representing the Club in all competition and other matches.
 - (d) To improve and develop the home grounds of the Club situated at Fehlberg Park, Venner Road, Fairfield.
 - (e) To purchase, hire, take on lease or in exchange or by any other means acquire or hold and thereafter maintain improve alter or demolish any property of the Club whether real or personal of whatever kind or description and wherever located. The expression "property of the Club" wherever it may be used herein will mean and include all such property as herein mentioned whether the same will be actually owned by the Club or held or occupied by the Club on lease or otherwise.
 - (f) To sell let dispose of or grant rights over all or any part of the property of the Club.
 - (g) To borrow or raise money to receive money on loan or deposit or otherwise with power to give mortgages or other securities over the property of the Club or any part thereof and to give and issue bonds debentures debenture stock or other obligations or securities secured or unsecured for any money received and for interest thereon or for any other purpose and to purchase redeem or pay off any such securities and generally to raise money and to secure the repayment thereof.
 - (h) To invest the monies of the Club not immediately required in such a manner as the Management Committee may from time to time determine.
 - (i) To enter into or accept any contract agreement or obligation or give any security which would or may assist promote support encourage or be of benefit or use to the game of cricket in Queensland or any matter pertaining thereto or of benefit or use to the Club or the members thereof or which would or may establish or maintain or assist in the establishment or maintenance of any improvements, facilities or amenities whatsoever for the benefit or use or in respect of Fehlberg Park or the Club or the members thereof.
 - (j) To do all such other things as are conducive or incidental to the attainment of the above objects or any of them.

Boundaries:

3. The boundaries of the Club will be as defined from time to time by the Association's Regulations governing District Competition matches.

South Brisbane District Cricket Club Inc.

Club Colours:

4. The colours of the Club will be green, white and maroon

Delegate Members of the Association:

5. The Club will on or before the due date each year nominate the required number of Delegate Members to the Association and will furnish to the Association the required information and pay the annual registration fee as prescribed by the Articles of the Association.

Membership

6. The membership of the Club will consist of the following classes of members:
 - (a) Members;
 - (b) Junior Members;
 - (c) Life Members;
 - (d) Honorary Members; and
7. The number of members in each class will be unlimited.

Member's Obligations

8. A member (including a Junior Member, Life Member and Honorary Member) must;
 - (a) act in the best interests of the Club and any of its associates (such as the Association);
 - (b) faithfully observe and comply in all respects with the terms of the rules;
 - (c) not be convicted of an indictable offence;
 - (d) not accept any bribe;
 - (e) not agree to play on anything less than their own merits;
 - (f) not participate, or be directly or indirectly involved in any way, in gambling in relation to the Club or Associations competitions, whether as to the performance of a player or a team, the outcome or course of a match or the outcome or course of a competition;
 - (g) not engage in any form of conduct that might bring into disrepute or be detrimental to the interests, welfare or image of the Club or any of the its associates (such as the Association); and
 - (h) not conduct themselves on any form of social media in a manner which is rude, abusive, threatening, unsportsmanlike or otherwise likely to bring the Club into disrepute.

Resignation / Termination or Rejection of membership

9. A member ceases to be a member if the member:
 - (a) resigns as a member by giving written notice to the Secretary; or
 - (b) dies.
10. The resignation in clause 9(a) takes effect at:

South Brisbane District Cricket Club Inc.

- (a) the time the notice is received by the Secretary; or,
 - (b) If a later time is stated in the notice – the later time.
11. If the Management Committee is of the opinion that the member has acted in breach of clause 8, it may, in respect of that conduct:
- (a) call upon the member by notice in writing to appear at a hearing before the Management Committee to show cause why the Management Committee ought not take action against the Member pursuant to clause 14; and
 - (b) convene a hearing before the Management Committee.
12. In any case where notice is given by the Management Committee under clause 11(a), the period of notice should ordinarily be five business days unless there is good reason why, in the opinion of the Management Committee in its absolute discretion, a lesser period should be provided.
13. When the Management Committee proceeds pursuant to clause 11(a) to convene a hearing before the Management Committee:
- (a) the member will be entitled to be represented by counsel, a solicitor or other representative; and
 - (b) the Management Committee may retain and use counsel or a solicitor to assist the conduct of the hearing.
14. Where at any hearing convened pursuant to clause 11, the Management Committee considers that the member is in breach of clause 8 on the basis of the conduct the subject of the notice in writing pursuant to clause 11(a), the Management Committee may do any of the following:
- (a) take no further action;
 - (b) caution or reprimand the member;
 - (c) suspend the member from playing or having any connection with the Club for a period of time;
 - (d) refuse to re-new the member's membership application;
 - (e) terminate the member's life membership; or
 - (f) terminate the member's membership.
15. A member whose membership has been terminated or suspended, or a previous member whose membership renewal has been rejected, may give the Secretary of the committee written notice of the person's intention to further appeal the decision.
16. A notice of intention to appeal must be given to the Secretary within 28 days of receiving the decision of the Management Committee's decision in clause 14.
17. If the Secretary receives a notice of intention to appeal, the Secretary must, within 1 month of receiving the notice, call a general meeting to decide the appeal.
18. The general meeting must be held within 1 month after the Secretary receiving the notice of intention to appeal.

South Brisbane District Cricket Club Inc.

19. At the general meeting, the applicant must be given a full and fair opportunity to show why the membership should not be revoked, or the application to renew a membership should not be rejected.
20. The appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
21. Votes must be carried out in accordance with the normal rules for voting for the club.

Register of Members:

22.
 - (i) The Management Committee must cause a register to be kept in which will be entered the names and residential addresses of all persons admitted to membership of the Club and the dates of their admission.
 - (ii) Particulars will also be entered into the register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the Management Committee or the members at any general meeting may require from time to time.
 - (iii) The register will be open for inspection at all reasonable times by any member who previously applies to the Secretary for such inspection.

Members:

23. A person who is in accord with the objects of the Club and who is or will be aged 16 years or more on the 30th of September or eligible to play in Lords Taverners Competition in that season may make written application to become a Member and upon payment of the annual subscription fee and acceptance by the Management Committee he will become a Member and be bound by these Rules. An application for membership must be made in writing on the appropriate form as prescribed by the Management Committee from time to time and if necessary the application must be supported by documentary evidence that the person is eligible to play for the Club within the terms of the Articles of the Association.
24. All applications for membership will be assessed and determined by the Membership Committee, who will include at least one member of the Management Committee Executive (President, Vice-President, Secretary or Treasurer). The Membership Committee will report the members so accepted to the Management Committee at the next available Management Committee meeting.
25. The Management Committee may reject an application for membership if in the Management Committee's opinion the person does not comply with the obligations as stated in clause 8.
26. New members of the club will be subject to a period of probationary membership for a period of three (3) months. During this period of probationary membership, they shall not be able to vote at any meeting of the club.
27. Should the Management Committee determine that a probationary member is not suitable for the Club, they will reject the application for membership prior to the conclusion of the probationary period and advise the prospective member.

Junior Members:

28. A person who is enrolled by the Club's Junior Committee as a member will be a Junior Member of the Club but will not be entitled to receive notice of any meeting of the Club or to vote at any such meeting.

South Brisbane District Cricket Club Inc.

Life Members:

29. The Management Committee may nominate Life Members in consideration of special services rendered to the Club, such nominations numbering not more than one in any year to be submitted to the Annual General Meeting of the Club, at which meeting alone Life Members will be elected.
30. A Life Member will be entitled to exercise all the privileges of the Club including the right to speak and vote on any motion at any meeting of the Club.

Honorary Members:

31. The Management Committee may from time to time, in its absolute discretion:
 - (i) admit or appoint a person to be an Honorary Member of the Club, and
 - (ii) revoke any such membership, without assigning any reason for so doing.
32. Unless Honorary Membership is conferred for a specified period only, an Honorary Member will retain such membership until death or resignation or until such membership has been revoked by the Management Committee as aforesaid.
33. An Honorary Member will not be entitled to receive notice of any meeting of the Club or to vote at any such meeting.

Election of Office Bearers:

34. Except as otherwise provided by these Rules, the members of the Management Committee of the Club for the ensuing year will be elected at the Annual General Meeting.
35. A written nomination signed by the person making the nomination will be required for all elective offices, except as otherwise provided in these Rules. Such nominations may be made by any Member or Life Member of the Club and will be lodged with the Secretary at least ten (10) days prior to the date of the meeting and will be signed by the candidate as a consenting party.
36. If only the number of valid nominations required to fill any office be received, the President will declare the candidates duly elected.
37. If fewer than the required number of valid nominations be received, the President will first declare the candidate/s duly elected. The President may then call for oral nominations from the floor for any positions not so filled, and for which no valid nominations have been received. In the event that 2 or more nominations are received for a particular position, or positions, a vote may then be taken in compliance with these rules. In the event that the number of nominations received from the floor does not exceed the number of positions available, the President will declare the nominees duly elected.
38. Should the office be not filled in this manner at that meeting it will be declared vacant and filled in accordance with Rule 42 hereof.
39. Notice of the calling of nominations and of the closing date and place will be given by the Secretary in writing to all Members or Life Members of the Club not less than twenty one (21) days prior to the date set down for the meeting.
40. If more than the required number of valid nominations be received, ballot or ballots will be taken and determined in the manner hereinafter prescribed.

South Brisbane District Cricket Club Inc.

Removal from Office of a Member of the Management Committee:

41. Any member of the Management Committee of the Club may be removed from office by the vote or not less than three-fourths of those present and entitled to vote at a meeting of the Club specially called for the purpose. Notice of such meeting will be given by the Secretary in writing not less than ten (10) days prior to the date set down for the meeting and in the case of the person proposed to be removed such notice will be forwarded by registered post. There will be no right of appeal against such a removal from office.

Casual Vacancies:

42. In the event that the office of any member of the Management Committee of the Club will for any reason become vacant the Management Committee will elect an office bearer who will hold office until the next Annual General Meeting.

Management Committee

- 43.
- (a) The Management Committee of the Club will consist of a President, a Vice-President, Secretary, Treasurer, all of whom will be members of the Club and such number of (but in any event not more than five (5)) other members as the members of the Club at any general meeting may from time to time elect or appoint.
 - (b) At the annual general meeting of the Club, all the members of the Management Committee for the time being will retire from office, but will be eligible upon nomination for re-election.
 - (c) Any member of the Management Committee may resign from membership of the Management Committee at any time by giving notice in writing to the Secretary but such resignation will take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it will take effect on that later date.
 - (d) Except as otherwise provided by these Rules and subject to resolutions of the members of the Club the Management Committee:
 - (i) will have the general control and management of the administration of the affairs/ property and funds of the Club;
 - (ii) will have authority to interpret the meaning of these Rules and any matter relating to the Club on which these Rules are silent; and
 - (iii) may exercise all the powers of the Club.
 - (e) The Management Committee must meet at least once every six weeks at such time and at such place as the members thereof will from time to time decide. Five (5) members will constitute a quorum.
 - (f) Subject as previously provided in this rule, the Management Committee may meet together and regulate its proceedings as it thinks fit provided that questions arising at any meeting of the Management Committee will be decided by a majority of votes and/ in the case of equality of votes, the question will be deemed to be decided in the negative.
 - (g) The President will preside as Chairman at every meeting of the Management Committee, or if there is no President, or if at any meeting he is not present within ten minutes after the time appointed for holding the meeting/ the Vice-President will be Chairman or if the Vice-President is not present at the meeting then the members may choose one of their number to be Chairman of the meeting.

South Brisbane District Cricket Club Inc.

- (h) If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, will lapse. In any other case it will stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting will lapse.
- (i) Should any member of the Management Committee be absent from three (3) consecutive meetings of the Management Committee, without having obtained leave of absence from the Management Committee, such member's position on the Management Committee will automatically become vacant in accordance with these Rules. Acceptance of an apology will be deemed to be a grant of leave of absence.
- (j) Should any question arise which in the opinion of the Management Committee is of sufficient importance to warrant reference to a meeting of the Club/ the Committee may refer such question to a General Meeting of the Club. In all such cases a decision of the meeting of the Club will be final and conclusive.
- (k) The Management Committee may appoint sub-committees for any purposes and such sub-committees may include persons who are not members of the Management Committee.
- (l) A member of the Management Committee may attend any meeting of such Committee by electronic means if they wish, using telephone or such electronic means on computer such as is available at the time of the meeting. In order to attend a meeting by electronic means, the committee member must advise the Honorary Secretary at least 24 hours prior to the meeting that they wish to attend by electronic means. The Honorary Secretary will make efforts to allow such members to attend by whatever means is available at the time of the meeting.
- (m) Attendance by the committee member by electronic means is taken to be attendance at the meeting.

44.

- (a) The Management Committee will appoint for the ensuing year preferably but not necessarily from amongst its members, the following:
 - (i) The required number of Delegate Members to Queensland Cricket Association Ltd;-
 - (ii) A Chairman of Selectors;
 - (iii) A Chairman of the Canteen Committee;
 - (iv) A Chairman of the Social and a Chairman of the Sponsorship Committee;
 - (v) A Chairman of the Fehlberg Park Ground Committee; and
 - (vi) A chairman of each such other sub-committee as may be appointed from time to time by the Executive Committee pursuant to Rule 43(k) hereof.
- (b) In each case the Management Committee may terminate any such appointment at any time for any reason and appoint another person to fill the vacancy. An appointee to any of the abovementioned positions who is not one of the elected members of the Management Committee will for the duration of his appointment be a member of the Management Committee.
- (c) As soon as practicable after the Annual General Meeting in each year the Management Committee will appoint the members of the Grading Committee.

South Brisbane District Cricket Club Inc.

45. The Management Committee will furnish a report to each general meeting of all business transacted since the preceding general meeting.
46. The Management Committee will provide for the safe custody of books, documents, instruments of title and securities of the Club.

President:

47. The President will be Chairman at all General Meetings of the Club provided that if at any such meeting the President will be absent from the meeting the Vice-President will be Chairman or if the Vice-President is not present the members present may elect one of their number to be Chairman in his place.

Honorary Secretary:

48. The Honorary Secretary will keep a Minute Book and will report correctly minutes of all meetings held and/subject to the direction of The Management Committee, conduct all correspondence and keep generally a record of the affairs of the Club. Such Minute Book will be available for inspection by members at any meeting.

Honorary Treasurer:

49. The Honorary Treasurer will keep an account of receipts and expenditures of the Club in a book which will be available for inspection by members at any meeting and will submit a Statement of Affairs showing the financial position of the Club at each Management or ordinary general meeting.

Finance:

50. The Honorary Treasurer and/or the Honorary Secretary will under the direction of the Management Committee receive all revenue of the Club and issue receipts for same.
51. All monies belonging to the Club will be deposited promptly to the Club's account in such bank as the Management Committee may from time to time direct. Payments by the Club of \$100.00 or more must be made by cheque, credit card or electronic funds transfer.
52. Payments may be made pursuant to the following delegations:
 - (a) \$2,000.00 and under, may be made by the Honorary Treasurer by cheque, credit card or electronic funds transfer.
 - (b) \$2,001.00 up to \$10,000.00 may be made by the Honorary Treasurer by cheque, credit card or electronic transfer upon receiving written authority from the President, Vice-President or Secretary.
 - (c) Payment of \$10,001.00 and higher may be made by the Honorary Treasurer by cheque, credit card or electronic transfer and must be authorised for payment by a motion of the Management Committee.
 - (d) The total amount of a bill or invoice is the amount which is authorised under each delegation and no split payments may be made in order to qualify a bill or invoice for a lower delegation.
53. If payment is made by credit card, or electronic transfer, receipts or records of such payments must be kept and presented to the Management Committee at the next meeting of the Management Committee.
54. Should any of these persons be unavailable to sign cheques, or provide written authority pursuant to Section 26, by reason of absence or illness, the Management Committee may appoint another member of such

South Brisbane District Cricket Club Inc.

Committee as signing or authorising officer in their stead for the period of such absence or illness.

55. All expenditure must be approved or ratified by the Management Committee.
56. The financial year of the Club will end on the 30th day of April in each year.
57. The income and property of the Club when so ever derived will be used and applied solely in promotion of its Objects and in the exercise of its powers as set out herein and no portion thereof will be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Club provided that nothing herein contained will prevent the payment in good faith of interest to any such member in respect of moneys advanced by him to the Club or otherwise owing by the Club to him or of remuneration to any officers or in return for any services actually rendered to the Club provided further that nothing herein contained will be constructed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Club or reasonable and proper rent for premises demised or let to the Club.
58. Excluding payments duly authorised by the Canteen Committee and/or the Social and Fund Raising committee in respect of their obligations no disbursements will be made until it has been passed for payment by the Management Committee or by the Club in general meeting; provided that any two of the persons referred to in Rule 52 above conjointly will be permitted to expend not more than \$500.00 at any one time details of which will be presented to the next ensuing meeting of the Management Committee of the Club for endorsement.

Accounts and Audit:

59. The Management Committee will appoint a suitably qualified person to act as the auditor of the Club.
60. The accounts of the Club will be audited before each Annual General Meeting. The report of such audit, together with copies of the income and expenditure account and balance sheet, will be appended to the Annual Report and a copy thereof will be furnished to each person entitled to vote at the Annual General Meeting.

Subscriptions and Match Fees:

61. The annual subscription for Members of the Club will be such amount or amounts as may be determined from time to time by the Management Committee at a meeting of the same but will be fixed for the 12 month period from the Annual General Meeting until the next Annual General Meeting, unless it is determined to be changed by a Special General Meeting of the members called, inter alia, for that purpose.
62. The annual subscriptions will be paid at the time of lodging the prescribed application for membership. Unless otherwise determined by the Management Committee in its absolute discretion an application for membership will not be accepted until the annual subscription has been paid.
63. In the case of a member joining the Club after the first day of January in that season a subscription equal to 50% of the annual subscription referred to in Rule 61 above will be payable.
64. Playing fees as determined by the Management Committee from time to time will be paid in full or by instalment agreement prior to the first game of the season, or the first game a player is selected to play, unless otherwise determined by the Management Committee in its absolute discretion. The amount or amounts so determined from time to time will continue to apply until otherwise so determined.

South Brisbane District Cricket Club Inc.

Selection of Players:

65.

- (a) A member who is not a financial member on or after the first day of the District Competition Fixtures in each season will not be eligible to be selected in or to play in any Club team.
 - (i) Unless otherwise determined by the Management Committee in its absolute discretion a member will be deemed unfinancial if he has not paid his annual subscription and/or any outstanding match-fees, insurance fees or other levies as may from time to time be imposed by the Management Committee of the Club.
- (b) For any reason, including for discipline or other reasons, the Management Committee may decide that any person who might be or has been selected in a team to take part in a match or matches will not be included in that team. Thereupon such person will be ineligible to be or remain in such team, and the Grading Committee or Selection Committee concerned will select some other person in his stead.
- (c) The Grading Committee or the Selection Committee, upon selecting any team to play in any match, will notify each player of his selection in such manner as that Committee may from time to time determine. If a player is unavailable, he will forthwith notify the Captain of his team and/or the Chairman of Selectors to that effect.

Captains and Vice-Captains:

66. As soon as practicable after the Annual General Meeting of the club, the Management Committee will appoint a Captain and Vice-Captain for each team. The appointment of the Captain and Vice-Captain for each team, will unless otherwise decided be a continuing appointment for the current season; provided that upon receiving a request in writing by the majority of players in any one team the Management Committee will consider such request and if thought advisable may declare the position of Captain and/or Vice-Captain of that grade vacant and refill the position. If for any reason the Captain and Vice-Captain of a grade be not available for any round of fixtures the position for the time being will be filled by the Management Committee. The Management Committee will have the power to replace a Captain or Vice-Captain at any time.

Selection Committee:

67. There must be a Selection Committee consisting of the Chairman of Selectors and any other members approved by the Management Committee to operate the selection model approved by the Management Committee.

Chairman of Selectors

68. The Chairman of Selectors will be the Chairman of the Selection Committee. The Chairman of Selectors will be responsible to conduct the selection process as deemed by the Management Committee

Special Committees:

69. The Club and/or the Management Committee may appoint special Committees to consider the report on any questions that may be referred to them. The number of persons to form such a Special Committee and the quorum thereof will be determined by the Club or the Management Committee on the appointment of such a Committee.

South Brisbane District Cricket Club Inc.

Meetings:

70.

- (a) The Annual General Meeting of the Club which will be deemed to be the last meeting of the cricket season will be held not later than the second Monday in the month of July in each year.
- (b) At least twenty one (21) clear days notice of the Annual General Meeting will be given by the Honorary Secretary in writing specifying the business to be transacted at that meeting.
- (c) Fifteen (15) members will constitute a quorum.
- (d) The regular business of the Annual General Meeting will be:
 - (i) to receive the Annual Report and Financial Statements ;
 - (ii) to enrol members;
 - (iii) to elect such of the Office Bearers for the ensuing year as are required by these Rules to be elected at that meeting;
 - (iv) to elect a Life Member (if any) in pursuance of these Rules;
 - (v) to transact such other business as may be properly brought before the meeting.

71. Special General Meetings will be called whenever the Management Committee may direct or upon a written requisition received by the Secretary signed by no fewer than ten (10) financial members of the Club. The Honorary Secretary will notify each member of the Club in writing at least seven (7) days prior to the date on which such meeting is to be held setting forth clearly the objects of such meeting. No other business than that for which the meeting is called will be dealt with, but it will be within the power of the Chairman to accept amendments within the scope and intention of the Notice of Motion. Fifteen (15) members will constitute a quorum. Only financial members will be entitled to vote.

72. An Ordinary General Meeting of the Club will follow all Special General Meetings. Ten (10) members will constitute a quorum.

73. Notice of the Annual General, Ordinary or Special General meeting may be made by electronic means to the members. Electronic means may include the Club's website, social media accounts and to members who have provided a contact electronic address. Posting such messages and notices by electronic means is deemed to be day one (1) of any period of time required under this constitution for the purpose of notification of a meeting.

74. The non-receipt of notice of any General Meeting by any person entitled to such notice will not invalidate any of the proceedings at such meeting.

Voting :

75.

- (a) The members of the Club other than Junior Members and Honorary Members will be entitled to vote at general meetings of the Club.
- (b) A member of the Club will not be permitted to take part in the proceedings of any meeting to unless, prior meeting, such his financial obligations to the commencement of such member will have discharged all obligations to the Club, such include the payment of the annual subscription and/or any outstanding

South Brisbane District Cricket Club Inc.

playing fees, insurance fees or other levies as may be imposed from time to time by the Management Committee of the Club.

(c) A person will not exercise more than one vote on any motion at any meeting of the Club.

(e) A financial member of the club, or a life member, will be entitled to make an absentee vote for any election for a position, or on any motion at any meeting of the club, provided it is delivered to the Secretary at least twenty four (24) hours prior to the nominated meeting.

(f) A member may attend any meeting by electronic means if they wish, using telephone or such electronic means on computer such as is available at the time of the meeting. In order to attend a meeting by electronic means, the member must advise the Honorary Secretary at least 24 hours prior to the meeting that they wish to attend by electronic means. The Honorary Secretary will make efforts to allow such members to attend by whatever means is available at the time of the meeting.

(g) A member who subsequently cannot make contact with the club during such meeting will be counted as an apology by the Honorary Secretary or such member loses contact during the meeting, for whatever reason, does not invalidate their attendance to that meeting. Reasonable efforts will be made to make contact with the member within the bounds of the timing and orderly conduct of such meeting.

(h) It is the responsibility of each member to make such valid absentee vote and no other member may make such absentee vote on behalf of another member.

(i) A member who wishes to make an absentee vote may vote after the closure of all nominations for positions to be decided at the particular meeting, and after any motions to be determined by the members have been accepted by the Club. Such vote may be made:

(i) Electronically to the Honorary Secretary by means of email, electronic social media message nominating the member's vote for each candidate they wish to vote for in each position, and for each motion that they wish to vote. Such electronic vote and the name of the member will be shown to the 2 scrutineers by the Secretary, at the time of each ballot or vote on a motion. The scrutineers will record the vote for inclusion in the ballot.

(ii) If a member wishes to vote in writing, they may complete necessary ballots for each election, or each motion, and place each ballot in a separate envelope for such election or motion and mark each envelope with the position or motion for which the ballot correspond.

(i) All of the marked envelopes will be placed in 1 large envelope with the name of the member, their signature and the date on the envelope. The large outer envelope must be given to the Honorary Secretary at least twenty four (24) hours prior to the meeting.

(ii) The Honorary Secretary must secure the envelopes until the relevant meeting.

(iii) The Honorary Secretary, at the relevant meeting, will advise the meeting of the valid absentee votes received and remove the votes from the outer envelopes. The Ballots, contained in the inner envelopes, or the ballots, will be placed in the ballot receptacle for each vote to be given to the Scrutineers for the election or ballot.

(iv) A member who submits an absentee vote prior to a meeting, and then attends the relevant meeting in person, may withdraw such absentee vote by signing the attendance register for the meeting and advising the Honorary Secretary that they withdraw the absentee vote previously made. That member, upon withdrawal of the absentee votes, may then vote in compliance with the normal procedures of a member attending a meeting of the club. The Honorary Secretary will then destroy that absentee vote prior to the meeting.

South Brisbane District Cricket Club Inc.

- (v) A person attending by electronic means may only exercise an absentee electronic vote, for a vote on a vacant position or motion not known prior to the meeting, if they have issued an absentee vote to the Honorary Secretary prior to the meeting in compliance with these rules.

76. If during a meeting, a position is declared vacant, due to a withdrawal of nominations made prior to the meeting, or a motion is taken from the floor of the meeting, a member who has submitted a prior valid absentee vote, may vote electronically upon the taking of ballots for that position if a vote is necessary.

- (i) The absentee member will be informed of the contact telephone number for one of the scrutineers for that meeting.

- (ii) Upon being advised of the nominees for such ballot for a position, or the motion to be voted on, the absent member will advise the scrutineer either by voice or electronic message of their vote. The scrutineers will confirm the vote with each other and include the vote in the ballot.

Ballots:

76.

- (a) Where a ballot for elective office is required, the President will announce the office and the names of the eligible candidates therefore and will appoint two scrutineers (not being candidates) to conduct such ballot. Each such scrutineer will be at liberty to exercise the vote to which he may be entitled in the ballot.
- (b) Ballot papers will be distributed by the scrutineers to each person entitled to vote in the election.
- (c) Each voter will be entitled to vote in each ballot for the number of candidates required to fill the office, and will mark an "x" " against the name/s of the candidate/s for whom he votes.
- (d) The scrutineers will collect the ballot papers, including absentee ballots from the Secretary, or receive absentee ballots electronically from members attending the meeting by electronic means, and count the votes.
- (e) The ballot paper will be declared informal by the scrutineers if:
 - (i) the ballot paper is not properly a part of the particular ballot;
 - (ii) the voter has voted for more than the required number of office bearers; or
 - (iii) the ballot paper is not clearly marked as aforesaid.
- (f) The scrutineers will, after counting the votes, deliver the ballot papers to the President and advise him in writing of the number of formal and informal ballot papers returned and of the number of formal votes cast for each candidate
- (g) Thereupon the President will determine the result of the ballot as follows:.
 - (i) Where there is only one candidate more than the number of offices to be filled the candidate obtaining the least votes will be eliminated and the other/s declared elected. Should two or more candidates be equal in obtaining the least votes the President will determine which one of such candidates will be eliminated and the others will be declared elected.
 - (ii) Elections will be by simple majority such that:
 - (aa) In any election with 2 or more candidates, the candidate with the most votes will be

South Brisbane District Cricket Club Inc.

declared elected.

(bb) In any election with more than 5 candidates, in the case of an election for members of the Management Committee, members will vote for not more than 5 candidates that they wish to elect to the Management Committee. The 5 members with the most votes will be declared elected.

(cc) Where 2 or more candidates receive the same amount of votes in any election, in an election for any position other than the President, the President will determine which of the two will be eliminated and that the other will be declared elected.

(dd) In the case of more than 2 persons receiving the same amount of votes, in a vote for members of the Management Committee, the President will determine who will be eliminated and the remaining members will be declared elected.

(ee) In a vote on any motion, other than motions regarding changing the Club constitution, or removal of members of the Management Committee, a simple majority of members will cause the motion to be declared to be passed.

- (h) All ballot and relevant papers will be retained by the President until the close of the meeting and immediately thereafter destroyed by him.
- (i) Any person entitled to vote in an election may require at any time after the election is decided and prior to the close of the meeting, without the requirement being seconded, that the meeting be informed of the number of votes obtained by all or any of the candidates in any particular ballot, and the President and/or scrutineers will not otherwise publish or cause to be published such information.
- (j) In any ballot in which the President is a candidate, he will vacate the chair whilst the ballot is being conducted and determined/ and the duties of the Chairman under this Rule will be carried out by the Vice-President or if the Vice-President is not present at the meeting a member of the Club elected for that purpose on a show of hands by the majority of the persons present and entitled to vote in the ballot.
 - (a) In any election for the President where only 2 candidates receive the same amount of votes, the Acting Chairman will inform the meeting of the same. Both nominees will be asked if they wish to continue to contest the election. If both wish to continue, the Acting Chairman will call for a re-vote for the position. Both Candidates may be afforded an opportunity to address the meeting prior to the second vote if they wish. A second ballot will be immediately held.
 - (b) In the event that at the conclusion of the second election the 2 candidates receive the same amount of votes, the Acting Chairman will determine which of the two will be eliminated and that the other will be declared elected.

By-Laws:

77. The Management Committee may from time to time make, amend or repeal by-laws, not inconsistent with these Rules, for the internal management of the Club and any by-law may be set aside by a general meeting of members.

Alteration of Rules:

78. Subject to the Incorporation Act rescinded or added resolution carried provisions of the Associations 1981 these Rules may be amended, to from time to time by a special at any general meeting provided that no such

South Brisbane District Cricket Club Inc.

amendment, rescission or addition will be valid unless the same will have been previously submitted to and approved by the Director-General, Department of Justice, Brisbane.

Common Seal:

79. The Management Committee will provide for a Common Seal and for its safe custody. The Common Seal will only be used by the authority of the Management Committee and every instrument to which the sealed is affixed will be signed by a member of the Management Committee and will be countersigned by the Secretary or by a second member of the Management Committee or by some other person appointed by the Management Committee for the purpose.

General Provisions:

80.

- (a) The Honorary Secretary will cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting will be signed by the Chairman of that meeting or the Chairman of the next succeeding Management Committee meeting verifying their accuracy. Similarly, the minutes of every general meeting will be signed by the Chairman of that meeting or the Chairman of the next succeeding general meeting: Provided that the minutes of any annual general meeting will be signed by the Chairman of that meeting or the Chairman of the next succeeding general meeting or annual general meeting.
- (b) The Club will not be dissolved nor the name changed without the consent of three-quarters of the members present and entitled to vote at an Annual General Meeting or a Special General Meeting called for that purpose,
- (c) Where a period of time is prescribed in these Rules in respect of the lodgement of nominations for any elective office; such period will exclude the day for lodgement of nominations and the day of the election.
- (d) Unless otherwise determined by the Management Committee, the closing time for lodgement of nominations under these Rules will be 5.00pm on the day in question.
- (e) The Rules of Queensland Cricket Association Ltd for the time being regulating the winning of trophies for batting or bowling averages will be followed by the Club in respect of Club Trophies.

Distribution of Surplus Assets:

81. If the Club will be wound up in accordance with the provisions of the Associations Incorporation Act 1981 and there remains/ after satisfaction of all its debts and liabilities, any property whatsoever, the same will not be paid to or distributed among the members of the Club but will be given or transferred to some other institution or institutions having objects similar to the objects of the Club, and which will prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Club under or by virtue of Rule 28, such institution or institutions to be determined by the members of the Club.