



BENTLEIGH CRICKET CLUB Inc.

CONSTITUTION

INCORPORATED 1986

Revised 2022

Table of Contents

DEFINITIONS	3
1. NAME AND COLOURS	4
2. OBJECTIVES	4
3. MEMBERSHIP	4
4. LIFE MEMBERS	5
5. MEMBERSHIP FEES	5
6. REGISTER OF MEMBERS	6
7. CEASING MEMBERSHIP	6
8. STRUCTURE	6
9. ELECTIONS	8
10. VACANCIES	8
11. VOTING	8
12. QUORUMS	9
13. DUTIES AND FUNCTIONS	9
14. CONSTITUTION	11
15. ANNUAL GENERAL MEETING	11
16. NOTICE OF ANNUAL GENERAL MEETING	11
17. FINANCIAL	12
18. GENERAL & SPECIAL GENERAL MEETINGS	13
19. WINDING UP OF THE CLUB	13
20. CAPTAINS AND VICE-CAPTAINS	13
21. PLAYER CLEARANCES	14
22. DISPUTES AND MEDIATION	14
23. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS	15
24. SENIOR AND JUNIOR CLUB CHAMPIONS	17
25. TROPHIES	17
26. CUSTODY AND INSPECTION OF BOOKS AND RECORDS	19
27. PRIVACY POLICY	20
28. BY-LAWS	20
APPENDIX 1 – APPLICATION FOR MEMBERSHIP	21
APPENDIX 2 – LIFE MEMBER NOMINATION FORM	22
APPENDIX 3 – COMMITTEE NOMINATION FORM	22
APPENDIX 4 – PROXY VOTING FORM	23
APPENDIX 5 – NOTICE OF SUSPENSION OR EXPULSION	24
APPENDIX 6 – BEST CLUBPERSON NOMINATION FORM	25
APPENDIX 7 – CODE OF CONDUCT	26
APPENDIX 8 – PRIVACY POLICY	29



The Bentleigh Cricket Club was established in 1909 and has a long and successful history. In the 2008/2009 season, the Bentleigh Cricket was proud to celebrate its 100th season. The club is comprised of senior men's and women's teams, junior mixed and girls teams, as well as development programmes in the Juniors Blasters, Master Blasters and All Abilities clinics. Our senior men's are affiliated with the Cricket Southern Bayside (CSB) competition and our senior women's are a foundation member of the Cricket Southern Bayside Women's competition. The main ground is Bentleigh Recreation Reserve located at Arthur St Bentleigh, and the club welcomes players of all ages, gender and skill and continues to promote cricket as a game that is truly diverse and inclusive. This Constitution seeks to provide the Bentleigh Cricket Club with a strong governance foundation to ensure the club upholds both the laws and the spirit of cricket.

Definitions

Paid Roles = A member who is in a paid role for a particular season (excluding reimbursement of out-of-pocket costs) should not be considered for the exceptional service for that season. However, they may be considered for general service for that season, if they perform their role to a high standard. (not missing training, attending events, and other club supporting behaviours.)

Junior Member = a player registered to play in the junior competition on behalf of the Bentleigh Cricket Club who has paid the annual subscription. For the purpose of voting the parent or guardian of the junior member shall be entitled to one vote regardless of how many junior members the parent or guardian is responsible for. This voting can be considered an exception to Rule (9) of the Constitution.

Senior Member = a player registered to play in a senior competition on behalf of the Bentleigh Cricket Club who has paid the annual subscription.

Life Member = member voted on as a life member by the association pursuant to Rules 4(1) to (12).

Non-playing Member = a person who supports the club in a non-playing capacity and has who has paid the annual subscription applicable to that membership type. This includes non-playing parent of a junior member for the purpose of Rule 22 and 23.

Junior Competition = U18 and below.

Senior Competition = Any open age competition

Paid Annual Subscription = as determined pursuant to rule 5 and includes a person under an agreement with the Treasurer by way of subs waiver or partial payment is considered to be a financial playing member.

Senior XI = Both men's and women's full teams (number of players on the ground at one time) as defined by the competition in which the team plays (for example the women's full team in 2021/22 was 9 players)



1. NAME AND COLOURS

The name of the Club shall be the Bentleigh Cricket Club and its colours shall be navy blue and red. The Club shall (or may) also play (or promote itself or trade) as 'The Bentleigh Demons'. The Club will not have a common seal.

2. OBJECTIVES

The objectives of the Club will be to field men's and women's senior and junior mixed and girl's teams with particular attention to be paid to fostering an active participation of past players and family and friends of the senior and junior playing groups in a social environment.

3. MEMBERSHIP

(1) A person who applies and is approved for membership, either as a Non-Playing Member or Playing Member, as provided in the Constitution, is eligible to be a member of the Bentleigh Cricket Club on payment of the entrance fee and annual subscription payable under these Rules.

(2) An application of a person for membership of the Bentleigh Cricket Club must-

(a) be made in writing; (Appendix 1) and

(b) be lodged with the Secretary of the Bentleigh Cricket Club.

(3) As soon as practicable after the receipt of an application, the Secretary must refer the application to the General Committee.

(4) The General Committee must determine whether to approve or reject the application.

(5) If the General Committee approves an application for membership, the Secretary must, as soon as practicable-

(a) notify the applicant of the approval for membership; and

(b) Playing Membership fees become due and payable on the day the applicant represents the Club in the current season; and

(c) Non-Playing Membership fees become due and payable not more than 28 days from when the applicant receives notification.

(6) The Secretary must, within 28 days after receipt of the amounts, enter the applicant's name in the register of members.

(7) An applicant for membership becomes a Member and is entitled to exercise the rights of membership when his or her name is entered in the register of members.

(8) If the General Committee rejects an application, the Secretary must, as soon as practicable, notify the applicant in writing that the application has been rejected.



(9) A right, privilege, or obligation of a person by reason of membership of the Benteigh Cricket Club-

(a) is not capable of being transferred or transmitted to another person; and

(b) terminates upon the cessation of membership whether by death or resignation or otherwise.

(10) Members of the Benteigh Cricket Club are expected to abide by the Benteigh Cricket Club's Code of Conduct. (Appendix 7)

4. LIFE MEMBERS

(1) Any Member of the Benteigh Cricket Club may nominate another Member for life membership. Nominations must be given in writing to the Club Secretary and outline the basis of the nomination. (Appendix 2)

(2) This nomination must be given in writing to the Club Secretary not less than 21 days before the final General Committee meeting before the Annual Club Awards / Presentation Ceremony, when the Club Secretary calls for such nominations.

(3) The Club Secretary shall then form a Sub-Committee made up of three (3) members of the current serving Executive Committee and three (3) Life Members, excluding the nominating person if a life member. The Sub-Committee shall determine if the person nominated, meets the eligibility to receive Life Membership. The Sub-Committee must refer to the guide and examples of eligibility in the Benteigh Cricket Club By-Laws.

(4) The nomination shall be carried forward to the General Committee only if a two-thirds majority of the Sub-Committee vote in favour of that nominated Member.

(5) The General Committee shall then vote to elect the nominee as a Life Member after being provided with the nomination and outline of service at least 48 hours prior to the General Committee vote.

(6) The nomination shall be carried only if a two-thirds majority of the General Committee vote in favour of that nominated Member.

(7) The General Committee may elect a maximum of two (2) Life Members each season if warranted.

(8) This election is to be held at the last General Committee Meeting prior to the Annual Awards / Presentation Ceremony.

(9) Such Life Membership shall be awarded only to those Members who have rendered exceptional service to the Club for a period of not less than seven (7) years or rendered 25 years of general service. In determining the eligibility criteria, the sub-committee must refer to the guide for eligibility contained within the Benteigh Cricket Club By-Laws.

(10) Life Members shall be presented with a medallion to suitably bestow the honour at the Annual Awards / Presentation Ceremony.

(11) All Life Members of the Ellindale Cricket Club, Benteigh District Cricket Club and the Benteigh Footballers' Cricket Club shall be deemed Life Members of the Benteigh Cricket Club.

(12) Life Members shall be entitled to attend all General Committee Meetings of the Club and shall have full voting rights.

5. MEMBERSHIP FEES



(1) The entrance fee is the relevant amount set by the General Committee payable by all new members of the Bentleigh Cricket Club.

(2) Playing and non-playing membership fees are determined at the Annual General Meeting and shall remain current until the next Annual General Meeting.

(3) Financial playing Members must be given preference in the selection of teams.

6. REGISTER OF MEMBERS

(1) The Secretary of the Club must keep and maintain a register of the members containing -

(a) the name and address of each member; and

(b) the date on which each member's name was entered in the register.

(2) The register is available for inspection free of charge by any Member upon request.

(3) A Member may make a copy of the entries in the register.

7. CEASING MEMBERSHIP

(1) A Member of the Club who has paid all moneys due and payable by a member to the Club, may resign from the Club by giving one month's notice in writing to the Secretary of his or her intention to resign.

(2) After the expiry of the period of the period referred to in sub-rule (1) –

(a) the member ceases to be a member; and

(b) the Secretary must record in the register of the members the date on which the member ceased to be a member.

8. STRUCTURE

(1) Members shall consist of:

(a) Life Members

(b) Senior playing members

(c) Junior playing members

(d) Non-playing members

(e) Official Office Bearers



(f) Any other person elected by a two-thirds majority vote at the Bentleigh Cricket Club's Annual General Meeting (AGM) in order for that person to fill a position on either the General or Executive Committee for the forthcoming season

(2) Office bearers shall consist of:

- (a) President
- (b) Vice-President
- (c) Life Vice-Presidents
- (d) Secretary
- (e) Treasurer
- (f) Social Secretary
- (g) Junior Cricket Coordinator
- (h) Coach
- (i) Secretary Women's Cricket
- (j) Junior Cricket Secretary

(3) General Committee shall consist of:

- (a) Officer Bearers; and
- (b) Not less than five (5) other Members

(4) Executive Committee shall consist of:

- (a) President
- (b) Vice President
- (c) Secretary
- (d) Treasurer
- (e) Junior Cricket Coordinator or Junior Cricket Secretary
- (f) 1 other person to be elected by the incoming General Committee

(5) Selection Committee shall consist of:

- (a) Coach



- (b) Chairman of Selectors
- (c) Senior Eleven Captains
- (d) Other Members as selected by the General Committee

9. ELECTIONS

ELECTION OF MEMBERS TO THE EXECUTIVE COMMITTEE AND GENERAL COMMITTEE

(1) Nominations of candidates for election as a Member of the Executive Committee of the Bentleigh Cricket Club or as a Member of the General Committee of the Bentleigh Cricket Club must be -

- (a) made in writing by the applicant, and delivered to the Secretary of the Bentleigh Cricket Club not less than seven (7) days before the date fixed for the holding of the Annual General Meeting; (Appendix 3) and
- (b) be seconded by another member of the Bentleigh Cricket Club at the Club's Annual General Meeting.

(2) Each Nomination shall then be put to the Members of the Bentleigh Cricket present at the Annual General Meeting. A two-thirds majority of Members approving the nomination is required for that candidate to be elected to the Executive Committee or General Committee's.

(3) Each Member of the Executive Committee and General Committees of the Bentleigh Cricket Club shall hold office until the Annual General Meeting next after the date of his or her election but is eligible for re-election.

(4) In the event of a casual vacancy occurring in the office of an ordinary member of the Executive Committee or General Committee, the General Committee may appoint a Member of the Club to fill the vacancy and the Member appointed shall hold office, subject to these rules, until the conclusion of the Annual General Meeting next following the date of appointment.

10. VACANCIES

The office of an officer of the Club, or of an ordinary member of the General Committee, becomes vacant if the Officer or Member -

- (a) ceases to be a Member of the Club; or
- (b) resigns from the office by notice in writing given to the Secretary.

11. VOTING

(1) Only Members and Life Members of the Club shall have voting rights at any Annual General Meeting or General Meeting of the Club.

(2) Members of the Bentleigh Cricket Club are entitled to vote by proxy at the Club's Annual General Meeting.

(3) In order to vote by proxy the Member must complete a proxy voting form (Appendix 4).

(4) All proxy votes must be delivered in writing to the Secretary of the Club before the commencement of meeting.



(5) Members of the Bentleigh Cricket Club's General Committee are entitled to vote by proxy at all meetings of the General Committee.

(6) Members of the Bentleigh Cricket Club's Executive Committee are entitled to vote by proxy at all meetings of the Executive Committee.

12. QUORUMS

(1) Quorums shall be -

(a) Annual General Meetings –Thirteen (13)

(b) General Committee Meetings –Seven (7)

(c) Executive Meetings –Three (3)

13. DUTIES AND FUNCTIONS

(1) PRESIDENT:

(a) Shall preside at all meetings of the Club and shall have a deliberative casting vote.

(b) Shall be an ex-officio member of all committees and sub committees of the Club (except Selection Committee).

(2) VICE PRESIDENT:

(a) Shall be responsible for the senior cricket program within the Club environment, including assisting with incorporating new players into the playing group.

(b) Shall prepare and present a full review in relation to on field, coaching and playing matters at the completion of each season for the General Committee.

(c) Shall generally carry out the findings of the Executive Committee or the General Committee in relation to the senior cricket program.

(3) SECRETARY:

(a) Shall keep full and accurate minutes of the proceedings of the Annual General Meeting, General Meetings and General Committee Meetings, including resolutions and proceedings of each meeting, together with a record of the names of persons present at all meetings.

(b) Shall conduct all correspondence of the Club.

(c) Shall present the Annual Report to the Annual General Meeting.



(b) Shall make applications for grounds and admissions to associations and ensure players are appropriately registered.

(e) Shall generally carry out the findings of the Executive Committee or General Committee.

(4) TREASURER:

(a) Shall receive and pay to the Clubs bank account, and disperse all monies of the Club as directed, all monies due to the Club and shall keep a detailed record in a cash book of all receipts and expenditures.

(b) Shall furnish at all General Committee Meetings or otherwise as directed by the Executive Committee, a statement of the financial position of the Club.

(c) Shall present all accounts for approval of payment by the Executive Committee or General Committee

(d) Shall prepare a Financial Report duly audited by the Clubs Auditors for presentation at the Annual General Meeting.

(5) SOCIAL SECRETARY:

(a) Shall organise the social activities of the Club and keep a detailed record of receipts and expenditures for the presentation to the General Committee.

(6) JUNIOR CO-ORDINATOR:

(a) Shall be responsible for the junior cricket program within the Club environment, including assisting with incorporating new players into the playing group.

(b) Shall prepare and present a full review in relation to junior on field, coaching and playing matters at the completion of each season for the General Committee.

(c) Shall be in charge of recruitment and management of the junior playing list.

(d) Shall generally carry out the findings of the General Committee or the Executive Committee in relation to the junior program.

(7) EXECUTIVE COMMITTEE:

(a) Shall manage the affairs of the Club between General Committee Meetings.

(8) GENERAL COMMITTEE:

(a) Meetings of the General Committee shall be held when deemed necessary by that body or the Executive Committee.

(b) Shall appoint a Coach at its discretion.

(c) Shall decide the Competition/s in which the Club participates and the number of teams fielded.

(d) Shall be responsible to the Member's of the Benteigh Cricket Club, for the safe keeping of the Clubs goods and chattels.



- (e) Shall elect a Member to a vacant General Committee position.
- (f) Shall grant or refuse player clearances.
- (g) Shall render a General Committee position vacant on failure of that Committee member to attend two successive General Committee Meetings without reasonable excuse or a resignation being received.
- (h) Shall make By-Laws as deemed necessary for the effective management of the Club.
- (i) Shall consider the case of any Member acting in a manner prejudicial to the good of the Club.

14. CONSTITUTION

- (1) A copy of the Club Constitution shall be readily available at all meetings of the Club.
- (2) The Club Constitution may be repealed, amended or new clauses added thereto by a three quarter ($\frac{3}{4}$) majority of Members present at the Annual General Meeting of the Club or a Special General Meeting of the Club. Provided however, that notice in writing setting out the changes shall be given to the Secretary who shall give Members not less than 21 days notice of such proposal.
- (3) The Constitution and Statement of Purposes of the Bentleigh Cricket Club must not be altered except in accordance with the Reform Act 2012..

15. ANNUAL GENERAL MEETING

- (1) The Annual General Meeting of the Club shall be held prior to the 1st of August each year (date, time and place decided by the Executive Committee) and shall -
 - (a) Review the Annual Report and Financial Report for the previous season.
 - (b) Elect the Office Bearers (except Coach), the General Committee and Auditor/s for the ensuing season.
 - (c) Decide upon the amount of playing and non-playing membership fees for the ensuing season.
 - (d) Deal with changes to the Constitution.
 - (e) Deal with any other business that may arise.

16. NOTICE OF ANNUAL GENERAL MEETING

- (1) The Secretary of the Club, at least 14 days, or if a special resolution is proposed, at least 21 days, before the date fixed for holding the Annual General Meeting of the Club, must cause to be sent to each member of the Club, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- (2) Notice may be sent –



(a) by prepaid post to the address appearing in the register of members; or

(b) if the member request, by facsimile transmission or electronic transmission.

(3) No business other than that set out in the notice convening the meeting may be conducted at the meeting.

(4) A Member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of the Club, who must include that business in the notice calling the Annual General Meeting.

17. FINANCIAL

(1) The assets and income of the organisation shall be applied solely in furtherance of its above mentioned objectives and no portion shall be distributed directly or indirectly to the members of the organisation except as bone fide compensation for services rendered or expenses incurred on behalf of the organisation.

(2) The Bentleigh Cricket Club has the power to generate funds through subscriptions, sponsorship, fund raising and any other method in accordance with the Associations Incorporation Act 1981.

(3) The Club shall be a 'Not for Profit' organisation and the financial year shall operate for 12 months of the year, from the 1st of July and will end on the 30th of June of each year.

(4) Cheques shall be signed by any two (2) of the following:

(a) President

(b) Secretary

(c) Treasurer

(5) A sum of not less than \$20,000 should remain in a separate, interest bearing bank account of the Executive Committee's choosing.

(6) This account shall be listed as a club asset in all clubs reports.

(7) Any funds at or below the minimum balance will only be available to the club for use with the approval of the members by way of a two-thirds majority vote at the Bentleigh Cricket Club's annual general meeting (AGM) or by way of an Extra-Ordinary General Meeting.

(8) If the balance of this account is above the minimum amount (\$20,000) these additional funds can be withdrawn from the account be way of a majority vote of the Executive Committee.

(9) If the balance of this account drops below the minimum amount (\$20,000) the club is required to deposit a minimum of 25% of the clubs profits each year as recorded in the Annual Report until the balance of this account returns to the minimum amount (\$20,000).



18. GENERAL & SPECIAL GENERAL MEETINGS

- (1) Any Member wishing to raise any matter affecting the well being or running of the Bentleigh Cricket Club shall do so in writing to the Secretary who then shall promptly place the matter before the Executive Committee or General Committee of the Bentleigh Cricket Club.
- (2) Unless otherwise provided in this Constitution, all matters for resolution at any Annual General Meeting or General Committee Meeting, shall be decided by a single majority.
- (3) Any general meeting of the Bentleigh Cricket Club, other than an Annual General Meeting or a disciplinary appeal meeting, is a Special General Meeting.
- (4) The General Committee may convene a Special General Meeting whenever it thinks fit.
- (5) No business other than that set out in the notice under rule 33 may be conducted at the Special General Meeting.
- (6) If a member or members (other than the general committee members) request a Special General Meeting, notification to the Secretary of the Club must be made within 21 days of the proposed date of the meeting.
- (7) The Request must be in writing and state the business to be considered at the Special General Meeting and any resolutions to be proposed and include the names and signatures of the members requesting the Special General Meeting.
- (8) The Secretary must then follow the same procedure as Annual General Meetings set out at Rule 16 of the Constitution.
- (9) If the Secretary or General Committee does not convene a Special General Meeting within one month after the date on which the request is made, the members making the request (or any of them) may convene the Special General Meeting.
- (10) Any proposal must be only passed by a three quarter ($\frac{3}{4}$) majority of Members present and in line with Quorums set out at Rule 12(1)(a).

19. WINDING UP OF THE CLUB

- (1) In the event of the winding up or the cancellation of the Bentleigh Cricket Club, the assets of the Bentleigh Cricket Club must be disposed of in accordance with the provisions of the Associations Incorporation Act 1981.
- (2) In the event of the Bentleigh Cricket Club being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.

20. CAPTAINS AND VICE-CAPTAINS

Captains and Vice-Captains of all teams (including juniors), shall be appointed by the General Committee.



21. PLAYER CLEARANCES

- (1) Any player desiring a clearance must put reasons in writing to the General Committee for consideration.
- (2) The General Committee may require any such player to appear in person to support the application.
- (3) Any player having played for the Club in the current season must be financial before a clearance will be considered.

22. DISPUTES AND MEDIATION

(1) The grievance procedure set out in this rule applies to disputes under the Bentleigh Cricket Club Constitution between -

- (a) a Member and another Member; or
- (b) a Member and the Bentleigh Cricket Club.

(2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

(3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within ten (10) days, hold a meeting in the presence of a mediator.

(4) The mediator must be -

- (a) a person chosen by agreement between the parties; or
- (b) in the absence of agreement -
 - (i) in the case of a dispute between a Member and another Member, a person appointed by the General Committee of the Bentleigh Cricket Club; or
 - (ii) in the case of a dispute between a Member and the Bentleigh Cricket Club, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

(5) A Member of the Bentleigh Cricket Club can be a mediator.

(6) The mediator cannot be a Member who is a party to the dispute.

(7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

(8) The mediator, in conducting the mediation, must--

- (a) give the parties to the mediation process every opportunity to be heard; and
- (b) allow due consideration by all parties of any written statement submitted by any party; and
- (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

(9) The mediator must not determine the dispute.



(10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Associations Incorporation Act 1981 or otherwise at law.

23. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS

(1) Subject to this Constitution, if the General Committee is of the opinion that a Member of the Bentleigh Cricket Club has refused or neglected to comply with the Constitution of the Bentleigh Cricket Club, or has conducted themselves in a manner unbecoming a member or prejudicial to the interests of the Bentleigh Cricket Club, and that mediation will not be in the best interests of either party, a Disciplinary Committee may by resolution-

(a) suspend that Member from membership of the Bentleigh Cricket Club for a specified period (either with or without specific conditions); or

(b) expel that Member from the Bentleigh Cricket Club.

(2) A Disciplinary Committee shall be made up of three (3) senior playing members of the Bentleigh Cricket Club selected by the Executive Committee of the Bentleigh Cricket Club. These members of the Disciplinary Committee shall not be Members of the current Executive Committee or General Committee of the Bentleigh Cricket Club. If 1 or more of the members selected are unwilling or unable to sit on a disciplinary committee, the Executive Committee will select as a replacement the most appropriate person or people affiliated with the club in some way, excluding the executive or general committee, to sit on the Disciplinary committee. The level of affiliation can be determined by the Executive Committee, however, the person or people selected will be from one or more of the following groups – Past Senior Players, Parent of Current Senior Player and/or Past Service as either Executive or General Committee of the Bentleigh Cricket Club. All parties are to be advised in writing that the matter is to be heard by an independent Disciplinary Committee, known as the Notice of Hearing.

(3) The Secretary of the Club, shall arrange a meeting of the Disciplinary Committee within 14 days of the incident being reported to the Secretary, at which time the details of the incident will be conveyed to the members of the Disciplinary Committee. Both parties to the incident will be invited to present their versions of the event to the Disciplinary Committee and make any comments or statements. The Executive Committee will decide if they feel this should be done in person or via some other medium.

(4) Within 24 hours of the Disciplinary Committee meeting, the Disciplinary Committee submits their findings to the General Committee including their recommendation as to the resolution. The General Committee shall consider the resolution and either:

(a) Accept the resolution in its entirety;

(b) Seek counsel from the Disciplinary Committee to modify the resolution in some manner; or

(c) Revoke the resolution

(5) Should the General Committee seek counsel from the Disciplinary Committee to modify the resolution, the Secretary will convene a further meeting so that the Disciplinary Committee may consider the opinions of the General Committee. The Disciplinary Committee may then decide to modify the resolution or have it remain unchanged.

(6) A meeting of the General Committee to confirm or revoke a resolution must be held not earlier than 14 days, and not later than 28 days, after the Notice of Hearing (as per Clause 2) has been given to the Member(s) concerned. Should there be a delay in the decision then all parties must be advised in writing of the delay and an appropriate timeframe for resolution.



(7) A resolution of the Disciplinary Committee does not take effect unless--

(a) at a General Committee Meeting, the General Committee confirms the resolution by not less than two-thirds of the Members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked; and

(b) a notice of suspension or expulsion is given to the Member(s) involved.

(8) For the purposes of giving the notice in subclause (6), the Secretary must, as soon as practicable, cause to be given to the Member a written notice (Appendix 5) of suspension or expulsion setting out the resolution of the Disciplinary Committee and the grounds on which it is based.

(9) If at the meeting of the General Committee, the Committee confirms the resolution, the member may, not later than 48 hours after receiving the notice of suspension or expulsion, give the Secretary a notice of intent to appeal to the Appeals Committee of the Bentleigh Cricket Club against the resolution.

(10) The Appeals Committee shall be made up of three (3) Life Members of the Bentleigh Cricket Club, selected by the Executive Committee of the Bentleigh Cricket Club. These members of the Appeals Committee shall not be Members of the current Disciplinary Committee or Members of the current Executive Committee or General Committee of the Bentleigh Cricket Club. If 1 or more of the members selected are unwilling or unable to sit on an Appeals Committee, the Executive Committee will select as a replacement the most appropriate person or people affiliated with the club in some way, excluding the executive or general committee, to sit on the Appeals Committee. The level of affiliation can be determined by the Executive Committee, however, the person or people selected will be from one or more of the following groups – Past Senior Players, Parent of Current Senior Player and/or Past Service as either Executive or General Committee of the Bentleigh Cricket Club

(11) If the Secretary receives a notice in subclause (9), he or she must notify the General Committee and the Club must convene an Appeals Committee Meeting to be held within 21 days after the date on which the Secretary received the notice of appeal.

(12) At this Appeals Committee Meeting of the Bentleigh Cricket Club,

(a) no business other than the question of the appeal may be conducted; and

(b) the Appeals Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and

(c) the Member, or his or her representative, must be given an opportunity to be heard; and

(d) the Members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.

(13) A resolution is confirmed if, at the Appeals Committee meeting, not less than two-thirds of the Members vote in person, in favour of the resolution. In any other case, the resolution is revoked.



24. SENIOR AND JUNIOR CLUB CHAMPIONS

(1) The Men's Senior Club Championship shall be awarded to the player with the highest number of points based on the following criteria (finals matches excluded):

1 RUN	1 POINT
ASSISTED WICKET	7 POINTS EACH PLAYER
UNASSISTED WICKET	14 POINTS
ASSISTED RUN OUT	7 POINTS EACH PLAYER
UNASSISTED RUNOUT	14 POINTS

(2) The Men's Senior Club Champion's name shall be recorded on the W.L. FOLEY memorial trophy and he shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony.

(3) The Women's Senior Club Championship shall be awarded to the player with the highest number of points based on the following criteria (finals matches excluded):

1 RUN	1 POINT
ASSISTED WICKET	7 POINTS EACH PLAYER
UNASSISTED WICKET	14 POINTS
ASSISTED RUN OUT	7 POINTS EACH PLAYER
UNASSISTED RUNOUT	14 POINTS

(4) The Women's Senior Club Champion's name shall be recorded on the Club Champion trophy and she shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony. Refer to any applicable Bentleigh Cricket Club By laws if required.

(5) If any member of the club plays in two separate XI's over the same period (round) then only the points obtained from the highest XI shall be counted towards the club champion award.

(6) The Executive Committee shall reserve the right to rule a member of the Bentleigh Cricket Club ineligible if circumstances are such that it is believed it would be inappropriate for that person to receive the honour.

(a) No professional/paid player of the club shall receive any points for games below the 2nd XI

(7) Junior Club Championship award/s shall be awarded according to the criteria determined by the General Committee. It will generally be based on the senior qualification criteria..

25. TROPHIES

(1) Trophies shall be awarded at the discretion of the General Committee.

(2) A Member of the Bentleigh Cricket Club shall receive the 'Best Clubperson' award when;

(a) They have been nominated in writing as 'Best Clubperson' by another member of the Bentleigh Cricket Club. (Appendix 6)



(b) This nomination is given to the Secretary of the Benteigh Cricket Club.

(c) The Secretary shall then forward all members names nominated to the General Committee.

(d) The General Committee then elects the award winner by way of secret ballot.

(e) The winner shall be the nominated Member with the most number of votes.

(f) This election is to be held at the last General Committee Meeting prior to the Annual Awards / Presentation Ceremony.

(3) The member or members named as the 'Best Clubperson' shall receive the Roger Kellar award and be recorded on the COSELEY perpetual trophy and they shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony.

(5) Members that receive remuneration as part of a contract with the club are not eligible for the Best Clubperson annual award (known as the COSELEY Trophy).

- Remuneration amounts that are considered minor will not invalidate a candidate for the award.
- Where it is considered that a member has provided extraordinary services to the club (well in excess of any remuneration) and that member is nominated for the award, a two-thirds majority vote of the general committee will validate that member as a candidate.

(5) Each Senior XI shall have a trophy named in honour of a Benteigh Cricket Club Member, and in accordance with the Benteigh Cricket Club By-Laws

(6) A player from each senior eleven that has been deemed that XI's 'best' may be awarded a trophy to commemorate his achievements for that season.

(a) The player named as the best Men's 1st XI team member shall be recorded on the Ronald G LAIRD perpetual trophy and he shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony.

(b) The player named as the best Women's 1st XI team member shall be recorded on the R & J Keyt 1st XI perpetual trophy and she shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony.

(c) The player named as the best Men's 2nd XI team member shall be recorded on the Ron McLEOD perpetual trophy and he shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony.

(d) The player named as the best Women's 2nd XI team member shall be recorded on the 2nd XI perpetual trophy and she shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony.

(e) The player named as the best Men's 3rd XI team member shall be recorded on the John ROGERS perpetual trophy and he shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony.



(f) The player named as the best Women's 3rd XI team member shall be recorded on the 3rd XI perpetual trophy and she shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony.

(g) The player named as the best Men's 4th XI team member shall be recorded on the RAJU perpetual trophy and he shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony.

(h) The player named as the best Men's 5th XI team member shall be recorded on the 5th XI perpetual trophy and he shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony (no person suggested/nominated at this stage)

(i) The player named as the best Men's 6th XI team member shall be recorded on the 6th XI perpetual trophy and he shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony (no person suggested/nominated at this stage)

(7) A player who plays in a Senior XI and is under the age of 18 years prior to the first fixed game of the Senior home and away season, whether or not at the time of playing is under the age of 18 years, is eligible to be awarded the Best Under 18 player award for that season.

(a) The player named as the best boys Under 18 Player shall be recorded on the Adrian McINNES perpetual trophy and he shall be presented with a medallion to suitably mark such an honour at the Annual Award / Presentation Ceremony. The winner shall be determined by the criteria as outlined in the Bentleigh Cricket Club By-Laws.

(b) the player named as the best girl's Under 18 Player shall be recorded on the perpetual trophy and she shall be presented with a medallion to suitably mark such an honour at the Annual Awards / Presentation Ceremony. The winner shall be determined by the criteria as outlined in the Bentleigh Cricket Club By-Laws.

(8) The minimum qualification requirements for the Senior Elevens shall be determined as per the Bentleigh Cricket Club By-Laws.

(9) All Junior Elevens and Ladies Elevens qualification for the ensuing season to be determined by the General Committee.

26. CUSTODY AND INSPECTION OF BOOKS AND RECORDS

(1) Except as otherwise provided in the Constitution, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Association.

(2) All accounts, books, securities and any other relevant documents of the Club must be available for inspection free of charge by any Member upon request.

(3) A Member may make a copy of any accounts, books, securities and any other relevant documents of the Club.



27. PRIVACY POLICY

(1) The General Committee will appoint a Privacy Officer. This should generally be the Secretary or other General Committee person and he or she will be responsible for the maintenance of the membership database and all documentation containing personal information.

(2) All Club documents, but particularly Club membership and other forms that collect members' personal information, shall be protected in accordance with the Club's Privacy Policy. (Appendix 8)

(3) All Club documents, but particularly Club membership and other forms that collect members' personal information, should refer to the Policy and that the information collected in the form is governed by that Policy. All club documents which collect personal information should state: *"All information required in this form by the Club will be collected, used and disclosed by the Club strictly in accordance with the Club's Privacy Policy. A copy of this Policy is available from the Club website or from the Secretary."*

28. BY-LAWS

(1) Benteigh Cricket Club By-Laws shall be determined by the Executive and General Committee's.

(2) The Benteigh Cricket Club By-Laws shall be for the purpose of adapting trophy and award criteria, allow for changing cricket grades and competitions and effective administration of the Benteigh Cricket Club.

(3) Once enacted, the Benteigh Cricket Club By-Laws can be amended by a special majority of the Executive Committee, not less than 5/6th's majority. They can also be amended at the AGM with the majority required to amend this constitution.



APPENDIX 1 – Application for Membership



Bentleigh Cricket Club Application for Membership

To the Secretary of the Bentleigh Cricket Club,

I, the undersigned, desire to become a Playing / Non-Playing (circle applicable) Member of the Bentleigh Cricket Club.

In the event of my admission as a member, I agree to be bound by the rules of the Bentleigh Cricket Club for the time being in force.

FULL NAME OF APPLICANT

ADDRESS OF APPLICANT

DATE OF BIRTH OF APPLICANT

CONTACT NUMBER/S OF APPLICANT

DATE OF APPLICATION

SIGNATURE OF APPLICANT

DATE

Please Note: The lodgment of this nomination creates no rights in the applicant and imposes no obligations upon the Bentleigh Cricket Club. No contract is thereby created. Acceptance of the nomination will be evidenced only by the issue by the Club of a written acknowledgement of the nomination.





APPENDIX 2

Life Membership
NOMINATION FORM

To the Secretary of the Bentleigh Cricket Club,

I, the undersigned, being a Member of the Bentleigh Cricket Club, wish to nominate the following Bentleigh Cricket Club Member for **Life Membership** of the Bentleigh Cricket Club:-

FULL NAME OF NOMINATED MEMBER

SEASON NOMINATED

EVIDENCE/REASON FOR NOMINATION

(Criteria for nomination: no less than 7 years of exceptional service to the Club or 25 years of general service.)

FULL NAME OF PROPOSER

SIGNATURE OF PROPOSER

DATE

Please Note: The lodgment of this nomination creates no rights in the nominee or nominated and imposes no obligations upon the Bentleigh Cricket Club. No contract is thereby created. Acceptance of the nomination will be evidenced only by the issue by the Club of a written acknowledgement of the nomination.



APPENDIX 3 – Committee Nomination Form



Bentleigh Cricket Club Committee Nomination Form

To the Secretary of the Bentleigh Cricket Club,

I, the undersigned, being a Member of the Bentleigh Cricket Club, wish to nominate for the following position within the Bentleigh Cricket Club:-

NAME

COMMITTEE POSITION

SEASON NOMINATED

FULL NAME OF PROPOSER

SIGNATURE OF PROPOSER

DATE

Please Note: The lodgment of this nomination creates no rights in the nominee and imposes no obligations upon the Bentleigh Cricket Club. No contract is thereby created. Acceptance of the nomination will be evidenced only by the issue by the Club of a written acknowledgement of the nomination.



APPENDIX 4 – Proxy Voting Form



Bentleigh Cricket Club Proxy Voting Form

To the Secretary of the Bentleigh Cricket Club,

I, the undersigned, being a Committee Member of the Bentleigh Cricket Club, wish to appoint

FULL NAME OF APPOINTED MEMBER

being a member of the Bentleigh Cricket Club as my proxy to vote for me on my behalf at the Annual / Special / General / Executive Meeting (circle applicable) to be held on

DATE OF MEETING

and at any adjournment of that meeting. My proxy is authorised to vote in favour of / against (circle applicable) the following resolution;-

DETAILS OF RESOLUTION

FULL NAME OF MEMBER

SIGNATURE OF MEMBER

DATE



APPENDIX 5 – Notice of Suspension or Expulsion



Bentleigh Cricket Club Notice of Suspension or Expulsion

To,

FULL NAME OF SUSPENDED / EXPELLED MEMBER

As Secretary of the Bentleigh Cricket Club, I hereby give notice in writing that at a Disciplinary Committee Meeting of the Bentleigh Cricket Club held on

DATE OF MEETING

it was resolved to Suspend / Expel (circle applicable) you as a Member of the Bentleigh Cricket Club. This decision was based on the following grounds:-

GROUNDS FOR SUSPENSION / EXPULSION

You or your representative may address the General Committee at a meeting to be held at the following time, date and place:-

MEETING DETAILS

You may attend this meeting and / or give to the General Committee before the date of that meeting a written statement seeking the revocation of the resolution. If at that meeting, the General Committee confirms the resolution, you may, not later than 48 hours after that meeting, give to the Secretary a notice to the effect that you wish to appeal to the Appeals Committee of the Bentleigh Cricket Club against the resolution.

CLUB SECRETARY

SIGNATURE OF CLUB SECRETARY

DATE



APPENDIX 6 – Best Clubperson Nomination Form



APPENDIX 6

Best Clubperson – Roger Kellar Award (Coseley Trophy)
NOMINATION FORM

To the Secretary of the Bentleigh Cricket Club,

I, the undersigned, being a Member of the Bentleigh Cricket Club, wish to nominate the following Bentleigh Cricket Club Member for the **Roger Kellar Award** (Coseley Trophy) for Best Clubperson of the Bentleigh Cricket Club:-

FULL NAME OF NOMINATED MEMBER

SEASON NOMINATED

EVIDENCE/REASON FOR NOMINATION

FULL NAME OF PROPOSER

SIGNATURE OF PROPOSER

DATE

Please Note: The lodgment of this nomination creates no rights in the nominee or nominated and imposes no obligations upon the Bentleigh Cricket Club. No contract is thereby created. Acceptance of the nomination will be evidenced only by the issue by the Club of a written acknowledgement of the nomination.



APPENDIX 7 – Code of Conduct

BENTLEIGH CRICKET CLUB CODE OF CONDUCT

The image and reputation of the Bentleigh Cricket Club is vital to its ongoing success and reflects the Club's standing in the community. Our "Code of Conduct" sets the standard of conduct required of our Club's members and officials, as representatives of the Bentleigh Cricket Club. Club Members and Officials are expected to abide by our "Code of Conduct".

As a Member or Official of the Bentleigh Cricket Club your conduct while representing the club in any capacity must meet the standards set out below.

The standards are guidelines only and a Disciplinary Committee of Bentleigh Cricket Club has the right to charge a member or official for conduct that they believe is outside the spirit of these guidelines, whether it is explicitly covered in the "Code of Conduct" or not. These are the minimum standards required of all members of the Bentleigh Cricket Club.

1. Unsportsmanlike behaviour is unacceptable.
2. The use of verbal or physical abuse is unacceptable.
3. Members will refrain from any form of harassment including:
 - (a) Harassment on the grounds of Disability
 - (b) Sexual harassment
 - (c) Racial harassment
 - (d) Racial vilification
4. Any member that causes the club to be fined as a result of their behaviour shall be required to compensate the club for the amount of the fine.
5. No Member while representing the club as a player or acting in the official capacity of scorer or umpire, shall drink alcohol prior to or during the course of a match
6. Members are expected to take pride in our clubrooms and respect the furniture and fittings. Prior to leaving the clubrooms, Members must ensure the area they (or their guest/s) have used is clean and tidy.
7. Members are responsible for the behaviour of any visitor/s they introduce to the club.
8. Coaches and officials of junior teams are expected to support and promote these guidelines to junior cricketers and their supporters.
9. Members are expected to conduct themselves in an acceptable manner.
10. Members are expected to display responsible behaviour.



11. Members are expected to make umpires, opposition players and officials feel welcome when they are our guests at the end of a day's play.
12. Members are expected to respect umpires, opposition players and officials.
13. Members are expected to respect our club officials and other members.
14. Members are expected to play a part in the operation of the club.
15. When in charge of a motor vehicle, members are expected to drive in a sensible and safe manner, especially in the presence of pedestrian traffic.
16. Senior members are expected to assist develop junior players, be prepared to attend junior training sessions and matches when called upon.
17. Current members are expected to welcome new members and include the new members in their activities.



APPENDIX 8 – Privacy Policy

Bentleigh Cricket Club Privacy Policy

The Club respects your privacy and is committed to protecting your personal information. This document sets out the Club's policy on how it will manage your personal information.

What is “personal information”?

Personal information is information or an opinion (including information or an opinion forming part of a database) from which it is possible to determine your identity. Examples of personal information include your name, postal address, telephone number and email address.

How does the Club collect your personal information?

The Club generally collects personal information about you directly from you, for example, when you provide information to the Club by phone, email or in a club membership application form. The Club sometimes collects personal information about you from third parties, such as from other cricket association or clubs you are or have been involved with or from Cricket Victoria or Cricket Australia (together the “Other Cricket Associations”).

How does the Club use your personal information?

The Club and third parties (including the Other Cricket Associations) to whom your personal information may be disclosed in accordance with this Privacy Policy, may use your personal information in order to:

- (a) verify your identity;
- (b) develop, run, administer and market competitions, programs, activities and other events relating to cricket and other sports;
- (c) market products, services, merchandise and special offers made available by the Club, the Other Cricket Associations or the Club's licensees, suppliers and sponsors;
- (d) administer and manage the Club web site and provide you with access to this web site;
- (e) keep you informed of news and information relating to cricket and other sports, including by distributing newsletters, publications and other communication via various mediums;
- (e) research and develop new competitions, programs, statistics, activities and other events relating to cricket and other sports; and
- (f) research and develop new products, services and merchandise relating to cricket and other sports.

If you do not wish to receive newsletters, publications and other communications, please advise the Club in writing (contact details are set out below).

The Club will require parties that it discloses personal information to, to keep the information confidential and not to use the information other than the purpose for which it is disclosed to them.



Health and sensitive information

In some circumstances the Club may collect:

- (a) information about your health; or
- (b) other sensitive information about you (for example, information about your racial or ethnic origin).

The Club may use health information about you to ensure that Club programs in which you participate are run safely and in accordance with any special health needs you may have and for insurance purposes.

When does the Club disclose your personal information?

The Club may disclose your personal information to:

- (a) organisations (including the Other Cricket Associations) involved in cricket and sporting programs and initiatives;
- (b) companies that the Club has engaged to carry out functions and activities for the Club;
- (c) the Club's insurers; and
- (d) otherwise as required or authorised by law.

The Club web site

When you visit the Club web site, certain information about your use of the web site (such as which web pages you visit and the time and date of your visit) may be recorded. This information is analysed to improve the performance of the Club web site.

In addition, "cookies" may be used on the web site. Cookies are small text files that help a web site to remember your preferences and improve your experience of using that web site. Using cookies is standard practice for most large web sites. In some cases, the cookies used may collect some personal information about you. This information will be treated in the same way as other personal information the Club collects about you. If you prefer, you may be able to disable cookies on your internet browser.

Websites linked to the Club's website are not subject to the Club's privacy standards, policies or procedures. These individual websites would need to be contacted or reviewed directly to determine their privacy standards, policies and procedures.

Accuracy of your personal information

The Club takes all reasonable precautions to ensure that the personal information it collects, uses and discloses is accurate, complete and up-to-date. However, the Club relies on the accuracy of personal information provided to it both directly and indirectly.

If you find that the personal information held by the Club about you is inaccurate, incomplete or out-of-date, please contact the Club immediately and the Club will take reasonable steps to ensure that it is corrected.



Protecting Personal Information

The Club stores personal information in paper and/or in electronic form. The security of information is important to the Club and reasonable steps to protect it from misuse, loss, unauthorised access, modification or disclosure will be taken.

How can you access the personal information the Club holds about you?

Subject to some exceptions provided by law, you have the right to access your personal information. For security purposes, if you would like to access personal information that the Club holds about you, you must put your request in writing. If you are not allowed to access any part of the personal information held about you, you will be told why. You will not be charged for lodging a request to access your personal information.

How to contact the Club

If you have any questions in relation to this Privacy Policy, please write to the Club Secretary at PO Box 220, Bentleigh 3204 or send an email to secretary@bentleighcc.com.au

Changes to this Policy

From time to time, this Policy may be changed to reflect changing business practice or legal requirements. If it is changed the Club will notify you of the changes in such manner as it considers appropriate.

