



# **BEROWRA CRICKET CLUB**

**The Constitution of**

**The Berowra Cricket Club Incorporated**

**(incorporation no. 9890384)**

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# Part 1 Preliminary

## 1 Definitions

(1) In this constitution:

**club or BCC** means The Berowra Cricket Club Incorporated (incorporation no. 9890384)

**executive committee** means a committee formed by the office-bearers of the club, and other committee members elected to the executive committee by the members.

**committee member** means an office-bearer or ordinary member who is elected to the executive committee by the club members.

**exercise** a function includes perform a duty.

**function** includes a power, authority, or duty.

**HK&HDCA** means *the Hornsby Ku-Ring-gai and Hills District Cricket Association*

**member or members** means those individuals who have paid a membership registration fee to play cricket in the club's senior and/or junior competitions in addition to those individuals appointed to coaches and managers roles, current executive committee members and life members.

**voting member** means a member as defined in 31(1).

**office-bearer** means a committee member who is elected to an office referred to in clause 14(2)(a)(i) - (v).

**register of members** means the register of members maintained under clause 4.

**special general meeting**, of the club, means a general meeting of the club other than an annual general meeting.

**subcommittee** means a subcommittee established under clause 21.

**the Act** means the *Associations Incorporation Act 2009*.

**the Regulation** means the *Associations Incorporation Regulation 2022*.

**Note:** The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this constitution.

(2) The *Interpretation Act 1987* applies to this constitution as if it were an instrument made under the Act.

**Note:** The Act, Part 4 deals with various matters relating to the management of associations.

(3) The objectives of the club shall be to:

(a) control, govern and promote the game of cricket in which teams representing the club participate including but without limiting the generality thereof games organised, conducted, or managed by the HK&HDCA.

(b) encourage, promote, and grow cricket at both junior and senior levels in an all-inclusive environment irrespective of skills, abilities, gender, race, or religion.

(c) for its members to conduct themselves in line with Cricket Australia's Code of Conduct.

(4) the BCC Colours and Playing Attire:

- a. The colours of the BCC will be maroon and white.
- b. All members participating in games of cricket on behalf of the BCC will appear in proper cricketing attire as approved by the club and HK&HDCA.
- c. Caps will contain the BCC's colours and be of such design as approved by the executive committee.
- d. The design of the BCC's emblems and badges permitted to be fixed to a player's dress will be as determined by the executive committee.
- e. All Sponsorship logos that appear on the BCC playing attire and caps must be approved by the executive committee.

## **Part 2 Members of the club**

### **2 Membership generally**

- (1) An individual is taken to be a member of the club if:
  - (a) the person applied to be a member under clause 3(1) and the application has been approved.
- (2) A person who is not an individual is not eligible to be a member of the club.
- (3) Members shall consist of those individuals who have paid a membership registration fee to play cricket in the club's senior and/or junior competitions in addition to those individuals appointed to coaches and managers roles, current executive committee members and life members.

### **3 Membership applications**

- (1) An application by a person to be a member of the club must be:
  - (a) made in the form determined by the executive committee, and
  - (b) lodged with the Secretary.
- (2) The executive committee must approve or reject the application for membership. The executive committee is not required to give any reason or explanation for rejecting any application for admission.
- (3) As soon as practicable after the executive committee has approved the application for membership, the
  - (a) applicant must pay the annual registration fee payable under clause 5 within the timeframe as stipulated at the time by the executive committee.
- (4) The Secretary must enter the applicant's name in the register of members as soon as practicable after the applicant pays the annual registration fee in accordance with subclause 5 (1) (b).
- (5) The applicant becomes a member once the applicant's name is entered in the register.
- (6) The executive committee may refuse the membership application of any member that has any registration fees outstanding from the previous season unless prior arrangements have been made with the executive committee.

- (7) Any member of the BCC wishing to transfer to another club must first obtain a financial clearance from the BCC.

#### **4 Register of members**

- (1) The Secretary must establish and maintain a register of members of the club.
- (2) The register:
  - (a) may be in written or electronic form, and
  - (b) must include, for each member:
    - (i) the member's full name, and
    - (ii) the member's date of birth, and
    - (iii) a residential, postal or email address, and
    - (iv) the date on which the person became a member, and
  - (c) must be maintained in New South Wales:
    - (i) at the club's main premises, or
    - (ii) if the club has no premises - at the club's official address, or
    - (iii) with the Secretary in electronic form.
  - (d) must be available for inspection, free of charge, by members at a reasonable time, and
  - (e) if kept in electronic form - must be able to be converted to hard copy.
- (3) If the register is kept in electronic form, the requirements in subclause (2)(c) and (d) apply as if a reference to the register is a reference to a current hard copy of the register.
- (4) A member may obtain a hard copy of the register at a time mutually agreed with the Secretary.
- (5) Information about a member, other than the member's name, must not be made available to any other party without the member's consent.
- (6) A member must not use information about a member obtained from the register to contact or send material to the member, unless:
  - (a) the information is used to send the member:
    - (i) a newsletter, or
    - (ii) a notice for a meeting or other event relating to the club, or
    - (iii) other material relating to the club, or
  - (b) it is necessary to comply with a requirement of the Act or the Regulation.

#### **5 Registration Fees**

- (1) The annual registration fee to be paid to the club by a person whose application to be a member of the club has been approved will be:
  - (a) as determined by the executive committee.
  - (b) When a person is admitted to club membership for part of the cricket year such member will pay membership fees up to the end of that cricket year as determined by the executive committee.
  - (c) The executive committee may at its discretion waive or subsidise

payment of any members registration or playing fees.

## **6 Members' liabilities**

The liability of a member of the club to contribute towards the payment of the debts and liabilities of the club or the costs, charges and expenses of the winding up of the club is limited to the amount, if any, unpaid by the member in respect of membership of the club or any other costs outstanding by the member as determined by the executive committee.

## **7 Club Life Membership**

- a) Any members or past members of the club who has rendered outstanding service may be elected a club life member at the club's annual general meeting.

To be eligible for life membership of the club, the nomination must satisfy the following minimum criteria:

- i. at least 10 years' outstanding and distinguished service as an active club member.
  - ii. has held a leadership role with the club as either a current or prior team captain or coach of a club senior or junior team.
  - iii. is currently, or has previously served as, a club executive committee member for at least 3 years.
  - iv. no prior disciplinary record that is a significant breach of the club's Constitution or any code of behaviour and/or brings the member's reputation or that of the club into disrepute.
- b) To be elected a life member, a nominee must be nominated by a club member or an executive committee member or a life member and must be endorsed by at least:
- i. 3 current life members and
  - ii. two-thirds of the club executive committee.
- c) A record of Life Membership shall be maintained by the club Secretary.
- d) Life Members of the club shall be entitled to attend and vote at all meetings of the club including but not limited to annual general meetings, general meetings, special general meetings, executive committee meetings.
- e) Life Members are entitled to have their playing fees waived or subsidised as determined by the executive committee.

## **8 Disciplinary action against members**

- (1) A person may make a complaint to the executive committee that a member of the club has:
- (a) failed to comply with a provision of this constitution, or



- (b) willfully acted in a way prejudicial to the interests of the club.
  - (c) has breached a condition of any code of behaviour of the club as determined from time to time by the executive committee.
- (2) A judiciary sub-committee consisting of at least two (2) of the Club President, Secretary and Vice President Operations will assess the complaint and determine the outcome of the complaint. The judiciary sub-committee may refuse to deal with a complaint if it considers the complaint is trivial or vexatious.
- (3) The judiciary sub-committee may, by resolution, expel the member from the club or suspend the member's membership if, after considering the complaint, the judiciary sub-committee is satisfied that the member:
  - (a) has refused or neglected to comply with a provision or provisions of this constitution, or
  - (b) has wilfully acted in a manner prejudicial to the interests of the club, or
  - (c) has breached a condition of any code of behaviour of the club as determined from time to time by the judiciary sub-committee.
- (4) If the judiciary sub-committee expels or suspends the member, the Secretary must, within 7 days of that action being taken, give the member written notice of:
  - (a) the action taken, and
  - (b) the reasons given by the judiciary sub-committee for taking the action, and
  - (c) the member's right of appeal under clause 9.
- (5) The expulsion or suspension does not take effect until the later of the following:
  - (a) the day the period within which the member is entitled to exercise the member's right of appeal expires, or
  - (b) if the member exercises the member's right of appeal within the period, the day the club confirms the resolution under clause 9.

## **9 Right of appeal against disciplinary action**

- (1) A member may appeal against a resolution of the judiciary sub-committee under clause 8 by lodging a notice of appeal with the Secretary within 7 days of being served notice of the resolution.
- (2) The member may include, with the notice of appeal, a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) The Secretary must notify the executive committee that the Secretary has received a notice of appeal.
- (4) If notified that a notice has been received, the executive committee must call a meeting to be held within 28 days of the day the notice was received.
- (5) Those members of the judiciary sub-committee who heard and determined the outcome of the members complaint at the initial hearing, cannot participate as a member of the executive committee in the assessment and determination of the members' appeal.
- (6) At the meeting:
  - (a) no business other than the question of the appeal is to be transacted, and
  - (b) the member must be given an opportunity to state the member's case

orally or in writing, or both, and

- (c) the executive committee must be given the opportunity to state the executive committee's case orally or in writing, or both, and
  - (d) the executive committee members present must vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (7) The appeal is to be determined by a simple majority of votes cast by the executive committee.
- (8) The executive committee's decision in relation to the appeal is final and is not subject to any further appeal by the member.

## **10 Membership entitlements not transferable**

A right, privilege, or obligation that a person has because the person is a member of the club:

- (a) cannot be transferred to another person, and
- (b) terminates once the person ceases to be a member of the club.

## **11 Member resignation**

- (1) A member of the club may resign from being a member by giving the Secretary written notice of at least 1 month, or as agreed by the executive committee, of the member's intention to resign.
- (2) The member ceases to be a member on the expiration of the notice period.

## **12 Cessation of membership**

A person ceases to be a member of the club if the person:

- (a) dies, or
- (b) resigns from being a member, or
- (c) is expelled from the club, or

fails to pay the annual registration fees payable under clause 5 within 3 months of the due date without prior arrangement with the executive committee.

# **Part 3 Committee**

## **13 Powers of the executive committee**

Subject to the Act, the Regulation, this constitution, and any resolution passed by the club in a general meeting, the executive committee:

- (a) is to control and manage the affairs of the club, and
- (b) may exercise all the functions that may be exercised by the club other than a function that is required to be exercised by the club in a general meeting, and
- (c) has the power to do all things that are necessary or convenient to be done for the proper management of the affairs of the club.

## **14 Composition of executive committee**

- (1) The executive committee is to consist of:
- (a) the office-bearers of the club, and
  - (b) ordinary committee members as voted for by the club members.
- (2) The executive committee positions consist of office bearers

and ordinary members, as elected in accordance with clause 15, consisting of:

(a) the office-bearers of the club are:

- (i) President.
- (ii) Vice President - Operations.
- (iii) Vice President - Pathways and Development
- (iv) Secretary (who also performs the Public Officer responsibilities)
- (v) Treasurer.

(b) the ordinary committee members of the club are:

- (i) Senior Competition Coordinator
- (ii) Junior Competition Coordinator.
- (iii) Blasters Coordinator.
- (iv) Girls Coordinator
- (v) Sponsorship Coordinator
- (vi) Grants Officer
- (vii) Communications and Media Coordinator

- (3) An office-bearer may hold up to 2 offices, other than both the offices of President and Vice President - Operations or Vice President - Pathways and Development.
- (4) No remuneration or other financial benefit shall be paid or given by the club to any member of the executive committee except for repayment of out-of-pocket expenses related to the running of the club.

## **15 Election of executive committee members**

- (1) Any voting member of the club may be nominated as a candidate for election as an office-bearer or committee member.
  - (a) The nomination must be given to the Secretary at least 7 days before the date fixed for the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies:
  - (a) the candidates nominated are taken to be elected, and
  - (b) a call for further nominations must be made at the meeting.
- (3) A nomination made at the meeting in response to a call for further nominations must be made in the way directed by the member presiding at the meeting.
- (4) Vacancies that remain after a call for further nominations are taken to be casual vacancies.
- (5) If the number of nominations received is equal to the number of vacancies to be filled, the members nominated are taken to be elected.
- (6) If the number of nominations received is more than the number of vacancies to be filled, a ballot must be held at the meeting in the way directed by the executive committee.

## **16 Terms of office**

- (1) Subject to this constitution, an executive committee member holds office from the day the member is elected until immediately before the next annual general meeting.
- (2) A member is eligible for re-election provided that they are otherwise qualified.
- (3) There is no limit on the number of consecutive terms for which an executive committee member may hold office.

## **17 Vacancies in office**

- (1) In the event of a casual vacancy occurring in the membership of the executive committee, the executive committee may appoint a member of the club to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.
- (2) A casual vacancy in the office of an executive committee member arises if the member:
  - (a) dies, or
  - (b) ceases to be a member of the club, or
  - (c) resigns from office by written notice given to the Secretary, or
  - (d) is removed from office by the club under this clause, or
  - (e) is absent from 3 consecutive meetings of the executive committee without the consent of the executive committee, or
  - (f) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
  - (g) is prohibited from being a director of a company under the *Corporations Act 2001* of the Commonwealth, Part 2D.6, or
  - (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty is imprisonment for at least 3 months, or
  - (i) becomes a mentally incapacitated person.

## **18 Removal of an Executive Committee Member**

The Club, in a special general meeting, may by resolution remove any member of the executive committee from the office of the club's executive before the expiration of the members term of office, and may by resolution appoint another person to hold that members position until the next annual general meeting.

## **19 Secretary**

- (1) The Secretary must keep minutes of:
  - (a) all elections of executive committee members, and
  - (b) the names of executive committee members present at a meeting of the executive committee or a general meeting, and
  - (c) all proceedings at executive committee meetings and general meetings.
- (2) The minutes must be kept by the Secretary in written or electronic form.

## **20 Treasurer**

The Treasurer of the club must ensure:

- (a) all money owed to the club is collected, and
- (b) all payments authorised by the club are made, and
- (c) correct books and accounts are kept showing the financial affairs of the club, including full details of receipts and expenditure relating to the club's activities.

## **21 Delegation to subcommittees**

- (1) The executive committee may:
  - (a) establish 1 or more subcommittees to assist the executive committee to exercise the executive committee's functions, and
  - (b) appoint 1 or more members of the club to be the members of the subcommittee.
  - (c) The executive committee may delegate to the subcommittee the exercise of the executive committee's functions specified in the instrument.
  - (d) The procedure for calling and conducting business at a meeting of the subcommittee is to be determined by the subcommittee.

## **22 Committee meetings and quorum**

- (1) The executive committee must meet at least 6 times in each period of 12 months at the place and time that the executive committee may determine.
- (2) Additional meetings of the executive committee may be convened by the President or by any member of the executive committee.
- (3) Oral or written notice of a meeting of the executive committee must be given by the Secretary to each member of the executive committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the executive committee) before the time appointed for the holding of the meeting.
- (4) Six (6) members of the executive committee constitute a quorum for the transaction of the business of a meeting of the executive committee of which at least 2 must be office bearers.
- (5) No business is to be transacted by the executive committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned and rescheduled at a time agreed by the executive committee.
- (6) At a meeting of the executive committee or general committee meeting:
  - a) the President or, in the President's absence, the Vice President - Operations is to preside, or, in the Vice President – Operations' absence, the Vice President - Pathways and Development is to preside, or
  - b) if the President, Vice President - Operations and the Vice President - Pathways and Development are absent or unwilling to act, one of the remaining members of the executive committee chosen by the members present at the meeting is to preside.

## **23 Voting**

- (1) A decision supported by a majority of the votes cast at a meeting of the executive committee or a subcommittee at which a quorum is present is the decision of the executive committee or subcommittee.
- (2) Each voting member present at a meeting of the annual general meeting, special general meeting, executive committee or of any sub-committee appointed by the executive committee is entitled to one vote (including the person presiding at the meeting). In the event of an equality of votes on any question or motion, the person presiding at or chairing the meeting may exercise a second or casting vote.

## **24 Use of technology at committee meetings**

- (1) A general or executive committee meeting may be held at two (2) or more venues using any technology approved by the executive committee that gives each of the general committee and executive committee's members a reasonable opportunity to participate.
- (2) An ordinary member or executive committee member who participates in a general committee or executive committee meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

# **Part 4 General meetings of Club**

## **25 Annual general meetings**

- (1) The club must hold subsequent annual general meetings within:
  - (a) 6 months of the last day of the club's financial year, or
  - (b) the later period allowed or prescribed in accordance with the Act, section 37(2)(b).
- (2) The President or Secretary must give a notice to each member specifying the place, date and time of the meeting and the nature of the business including the fact that it is the annual general meeting. The notice must be given not less than 14 days before the date fixed for the holding of the meeting. However, notice of any special resolution must be given to members not less than 21 days before the meeting. For convenience, the notice of meeting can be sent to members at the same time and on the same document as any notice of special resolutions provided it is sent not less than 21 days before the annual general meeting.
- (3) The business that may be transacted at an annual general meeting includes the following:
  - (a) apologies
  - (b) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
  - (c) to receive from the executive committee annual reports on the activities of the club during the last preceding financial year,
  - (d) to elect office-bearers and committee members of the club to the executive committee,

- (e) to receive and consider any financial statement or report required to be submitted to members under the Act,
- (f) to elect a Patron or Patrons,
- (g) to elect any proposed life members
- (h) to appoint an auditor, provided that such auditor will not be a member of the executive committee.

## **26 Delegate(s) to the Hornsby Kuring-Gai and Hills District Cricket Association**

There shall be at least one (1) delegate and an unlimited number of alternative delegates to the HK&HDCA appointed by the BCC executive committee at its first meeting following the Annual General Meeting.

## **27 Special general meetings**

- (1) The executive committee may call a special general meeting whenever the executive committee thinks fit.
- (2) The executive committee must call a special general meeting if the executive committee receives a request made by at least 5% of the total number of voting members.
- (3) The request:
  - (a) must be in writing, and
  - (b) must state the purpose of the meeting, and
  - (c) must be signed by the members making the request, and
  - (d) may consist of more than 1 document in a similar form signed by 1 or more members, and
  - (e) must be lodged with the Secretary, and
  - (f) may be in electronic form and signed and lodged by electronic means.
- (4) If the executive committee fails to call a special general meeting within 1 month of the request being lodged, 1 or more of the members who made the request may call a special general meeting to be held within 3 months of the date the request was lodged.
- (5) A special general meeting held under subclause (4) must be conducted, as far as practicable, in the same way as a general meeting called by the executive committee.
- (6) Notice of any special resolution must be given to members not less than 21 days before the special general meeting. For convenience, the notice of meeting can be sent to members at the same time and on the same document as any notice of special resolution provided it is sent not less than 21 days before the special general meeting.

## **28 Quorum for General Meetings**

- (1) Quorum at a club annual general meeting or special general meeting shall be eight (8) members at the commencement of the meeting. At least 4 of these members must be executive committee members - 2 of which must be office bearers.
- (2) If within 30 minutes after the appointed commencement time of the annual general meeting or special general meeting a quorum is not present, the meeting shall be dissolved and adjourned to a date as determined by the President or Secretary/Public Officer.

## **29 Adjourned meetings**

- (1) The member presiding at a general meeting may, with the consent of the majority of the members present, adjourn the meeting to another time and place.
- (2) The only business that may be transacted at the adjourned meeting is the business remaining from the meeting at which the adjournment took place.
- (3) If a meeting is adjourned for at least 14 days, the Secretary must give each member oral or written notice, at least 1 day before the adjourned meeting, of:
  - (a) the time and place at which the adjourned meeting will be held, and
  - (b) the nature of the business to be transacted at the adjourned meeting.

## **30 Presiding member**

- (1) The following member presides at a general meeting:
  - (a) the President or, in the President's absence, the Vice President Operations is to preside, or, in the Vice President Operations absence, the Vice President Pathways and Development is to preside.
  - (b) if the President, Vice President Operations and the Vice President Pathways and Development are absent or unwilling to act, one of the remaining members of the executive committee chosen by the members present at the meeting is to preside.
- (2) The member presiding at the meeting has:
  - (a) a deliberative vote, and
  - (b) in the event of an equality of votes - a second or casting vote.

## **31 Voting**

- (1) A member is not entitled to vote unless the member:
  - (a) is at least 18 years of age, and
  - (b) has paid all money owed by the member to the club.
- (2) Each voting member has 1 vote, except as provided by clause 30 (2)(b).
- (3) A question raised at the meeting must be decided by:
  - (a) a show of hands, or



- (b) an appropriate method as determined by the executive committee, or
- (c) a written ballot, but only if:
  - (i) the member presiding at the meeting moves that the question be decided by ballot, or
  - (ii) at least 5 voting members agree the question should be determined by ballot.
- (4) If a question is decided using a method referred to in subclause (3)(a) or (b), either of the following is sufficient evidence that a resolution has been carried, whether unanimously or by a majority, or lost, using the method:
  - (a) a declaration by the member presiding at the meeting,
  - (b) an entry in the club`s minute book.
- (5) A written ballot must be conducted in accordance with the directions of the member presiding.
- (6) A member cannot cast a vote by proxy.

### **32 Postal or electronic ballots**

- (1) The club may hold a postal or electronic ballot, as determined by the committee, to decide any matter other than an appeal under clause 8.
- (2) The ballot must be conducted in accordance with Schedule 2 of the Regulation.

## **Part 5 Administration**

### **33 Change of name, objects, or constitution**

An application for registration of a change in the club`s name, objects or constitution made under the Act; section 10 must be made by:

- (a) the Secretary, or
- (b) an executive committee member.

### **34 Funds**

- (1) The funds of the club are to be derived from annual registration fees of members, sponsorship, donations, fund raising activities and, subject to any resolution passed by the club in general meetings, any other sources that the executive committee determines.
- (2) All money received by the club must be deposited as soon as practicable.
- (3) All cheques, other negotiable instruments or bank transfers must be signed or authorised by 2 authorised club signatories. All authorised signatories on club bank accounts must be club executive committee members, 1 of whom must be the President, Secretary, or Treasurer.

**Note:** The Act, section 36 provides for the appointment of authorised signatories.

### **35 Insurance**

The club may take out and maintain insurance as appropriate for the club's assets and liabilities.

### **36 Club is not for profit**

Subject to the Act and the Regulation, the club must apply its funds and assets solely in pursuance of the objects of the association and must not conduct its affairs to provide a pecuniary gain for any of its members.

### **37 Service of notices**

- (1) For the purposes of this constitution, a notice may be given to or served on a person:
  - (a) by delivering the notice to the person personally, or
  - (b) by sending the notice by pre-paid post to the address of the person,  
or
  - (c) by sending the notice by electronic transmission to an address specified by the person for giving or serving the notice.
- (2) A notice is taken to have been given to or served on a person, unless the contrary is proved:
  - (a) for a notice given or served personally - on the date on which the notice is received by the person, or
  - (b) for a notice sent by pre-paid post - on the date on which the notice would have been delivered in the ordinary course of post, or
  - (c) for a notice sent by electronic transmission:
    - (i) on the date the notice was sent, or
    - (ii) if the machine from which the transmission was sent produces a report indicating the notice was sent on a later date—on the later date.

### **38 Custody of records and books**

Except as otherwise provided by this constitution, all records, books, and other documents relating to the club must be kept in New South Wales:

- (a) at the club's main premises, in the custody of either of the following persons, as determined by the executive committee:
  - (i) the Secretary,
  - (ii) a member of the club, or
- (b) if the association has no premises - at the club's official address, in the custody of the public officer.
- (c) and all financial records shall be retained by the club Treasurer in accordance with the prescribed statutory period.

### **39 Audit**

Prior to the annual general meeting, the club Treasurer shall prepare a statement of financial affairs that reflects a true and fair view of the

club's financial position and these statements shall be presented to the annual general meeting AGM. Auditing of the club financial records is at the determination of the executive committee.

#### **40 Inspection of records and books**

- (1) The following documents must be available for inspection, free of charge, by members of the club at a reasonable time:
  - (a) this constitution,
  - (b) minutes of committee meetings and general meetings of the club,
  - (c) records, books, and other documents relating to the club.
- (2) A member may inspect a document referred to in subclause (1):
  - (a) in hard copy, or
  - (b) in electronic form, if available.
- (3) A member may obtain a hard copy of a document referred to in subclause (1) on payment of a fee, as determined by the executive committee, for each page copied.
- (4) The executive committee may refuse to allow a member to inspect or obtain a copy of a document under this clause:
  - (a) that relates to confidential, personal, commercial, employment or legal matters, or
  - (b) if the executive committee considers it would be prejudicial to the interests of the club for the member to do so.

#### **41 Financial year**

The club's financial year is:

- (a) the period commencing on the date of incorporation of the club and ending on the following 31<sup>st</sup> May, and
- (b) each period of 12 months after the expiration of the previous financial year, commencing on 1 June and ending on the following 31<sup>st</sup> May.

#### **42 Distribution of assets on winding up**

In the event of the winding-up or cancellation of the incorporation of the BCC, all the surplus assets of the BCC shall be donated to a similar organisation, a registered or exempted charity or charities, or local council as seen fit by the BCC Executive Committee.