



Fremantle District Cricket Club (Inc) CONSTITUTION

CONTENT

Table of Contents

1	PRELIMINARY	5
1.1	Name	5
1.2	Objects	5
1.3	Colours	5
1.4	Club Financial Year	5
1.5	Club Seal	5
1.6	Quorum	5
1.7	Trustees	6
2	INTERPRETATION	6
2.1	Definitions	6
2.2	Notices	6
3	POWERS OF THE CLUB	6
4	NOT FOR PROFIT	6
5	QUALIFICATION FOR MEMBERSHIP	7
5.1	Class of Membership	7
5.2	Becoming a Member	7
5.3	Life Members	8
6	LIABILITY AND ENTITLEMENTS OF MEMBERS	8
6.1	Voting Rights	8
6.2	Guests	8
6.3	Liability of Members	8
6.4	Payment to Members	8
6.5	Membership Entitlements not Transferable	8
7	CEASING BEING A MEMBER	9
7.1	Ending of Membership	9
7.2	Resigning as a Member	9
7.3	Suspending/Expelling a Member	9
7.4	Reinstatement of a Member	10
8	MEMBERSHIP REGISTER	11
8.1	Register of Members	11
8.2	Inspecting the Register	11
8.3	Copy of the Register	11
8.4	Prohibited Use of the Register	11
9	MEMBERSHIP FEES	11
9.1	Subscriptions for Members	11
9.2	Payment of Fees	11
10	POWERS AND COMPOSITION OF THE MANAGEMENT/GENERAL COMMITTEE	12
10.1	Powers of the Committee	12
10.2	General/Management Committee Members	12
10.3	Appointment of General/Management Committee Members	12
10.4	Appointment of WACA/Joint Management Committee Delegate	13
10.5	Grading/Selection Committee	13
10.6	Selection of Coaching Panel, Captains and Vice Captains	13

11	ROLES AND RESPONSIBILITIES OF COMMITTEE MEMBERS.....	14
11.1	Obligations of the Committee.....	14
11.2	Pecuniary or Material Interests	14
11.3	Roles of Executive Committee	14
12	CEASING AS A MEMBER OF THE COMMITTEE	15
12.1	Ceasing Being a Member of the Committee.....	15
12.2	Resigning as a Member of the Committee	16
12.3	Removal from the Committee	16
13	COMMITTEE MEETINGS	16
13.1	Meetings of the Committee.....	16
13.2	Notice of Committee Meetings.....	16
13.3	Chairing Committee Meetings	17
13.4	Procedure of the Committee	17
13.5	Conduct of the Order of Business	17
13.6	Notice of Motion.....	18
13.7	Voting at Committee Meetings.....	18
13.8	Orders of Debate	18
13.9	Suspension of Standing Orders	19
13.10	Acts not Affected by Defects or Disqualifications.....	19
13.11	Adjournment of a Committee Meeting	19
14	ANNUAL GENERAL MEETINGS	19
14.1	Meetings	19
14.2	Procedure of the Annual General Meeting.....	19
14.3	Notice of Annual General Meetings.....	20
14.4	Chairing the AGM.....	20
14.5	Conduct of the Order of Business	20
14.6	Notice of Motion.....	20
14.7	Voting at an Annual General Meeting	21
14.8	Orders of Debate	21
14.9	Adjournment of an Annual General Meeting	21
15	SPECIAL GENERAL MEETINGS	22
15.1	Meetings	22
15.2	Notice of Special General Meetings.....	22
15.3	Voting and Debates at a Special General Meetings	22
16	MINUTES OF MEETINGS	22
17	FUNDS AND ACCOUNTS	23
17.1	Control of Funds	23
17.2	Source of Funds	23
17.3	Financial Records	23
17.4	Financial Statements and Reports (and Audits).....	23
18	BY-LAWS.....	24
19	RULES OF THE CLUB	24
19.1	Amendments to the Rules	24
20	THE CLUB’S BOOKS AND RECORDS	24
20.1	Custody of Books and Records.....	24
20.2	Inspecting the Books and Records	25
20.3	Prohibition on the Use of Information of the Club’s Books and Records	25
20.4	Returning the Club’s Books and Records	25

21	DISPUTE RESOLUTION	25
21.1	Disputes Arising Under the Rules.....	25
21.2	Committee Process for Determining Dispute	25
21.3	Mediation.....	26
21.4	Inability to Resolve Disputes.....	26
22	DISSOLUTION/DISTRIBUTION OF SURPLUS PROPERTY	27

1 PRELIMINARY

1.1 Name

The name of the Association shall be the “Fremantle District Cricket Club (Incorporated)” and is hereafter designated the “Club”.

1.2 Objects

The objects for which the Club is established shall be to encourage the playing of cricket and for such purpose to do all or any of the following acts or things:

- a) to affiliate with the Western Australian Cricket Association (Incorporated), or such body as, from time to time, may be decided upon;
- b) to purchase, sell, assign, lease, take on lease, mortgage, hire, take on hire, or otherwise acquire any real or personal property for the purpose of the Club and to invest any funds of the Club not immediately required in any security authorised as a Trustee Security by the Trustee Act of the State of Western Australia;
- c) to take part in any inter-club matches promoted by the Western Australian Cricket Association (Incorporated) or such body with which the Club, from time to time, may be affiliated;
- d) to promote and conduct social functions, for the benefit of its members;
- e) to deal with the monies of the Club in such a manner as, from time to time, may be necessary for the proper conduct of the Club; and
- f) generally do such acts or things as may be necessary for the proper conduct of the Club.

1.3 Colours

The colours of the Club shall be dark blue and white, or such other colours as the Members may, from time to time, agree upon. The badge of the Club shall be as the Committee may at any time decide upon.

1.4 Club Financial Year

The financial year of the Club shall coincide with the dates, which shall be prescribed by the Western Australian Cricket Association, or body authorised to control cricket. Unless prescribed, the financial year shall commence on the first day of June and end on the thirty-first day of May the following year.

1.5 Club Seal

The Club may have a Seal to be maintained in the custody of the Secretary.

The Seal shall only be affixed to any deed, instrument or document by the Trustees of the Club in the presence of the Secretary at a meeting of or by order of the Committee. The Secretary shall keep a record of all documents to which the seal is affixed.

1.6 Quorum

At the Annual General Meeting and all General and Special General Meetings, twelve (12) Members shall be a quorum. At all meetings of the Committee four (4) shall be a quorum unless rule 13.4 applies.

1.7 Trustees

There shall be two (2) trustees of the Club who shall be elected by the Committee, and who shall hold office until their successors have been appointed. The Committee may at any time remove the Trustees or either of them and shall have the power to fill any vacancy occurring by removal, resignation or death.

2 INTERPRETATION

2.1 Definitions

Unless the contrary intention appears within these Rules:

“Act” means the *Associations Incorporation Act 2015*.

“AGM” means Annual General Meeting held in the July of each year on date determined by the Committee.

“Commissioner” means the person designated Commissioner under the Act.

“Committee” means the Executive Committee and Management/General Committee as constituted by Rule 10.2.

“Disciplinary Panel” means a panel of comprising of Members from the Committee and Coaching staff as set out in Rule 7.3 to consider matters of misconduct.

“Executive” means the Executive Committee under Rule 10.2.

“Member” means a person who becomes a Member of the Club under Rule 5.

“Rules” mean these rules of the Club as amended from time to time under Rule 19.

“WACA” means the Western Australian Cricket Association.

2.2 Notices

A notice or other form of communication connected with these Rules has no legal effect unless it is in writing and given as follows:

- a) delivered by hand or post to the nominated address (or postal address) of the addressee; or
- b) sent by email or any other form of electronic communication to the nominated electronic address of the addressee.

Any notice given to a Member under these Rules must be sent to the Member’s address specified in the Register referred to in Rule 8. It is the responsibility of the Member to ensure the Club is informed of any changes to their postal/electronic address recorded in the Register.

3 POWERS OF THE CLUB

Subject to the Act, the Club may do all things necessary or convenient for carrying out its objects or purposes in a lawful manner.

4 NOT FOR PROFIT

The property and income of the Club must be applied solely towards promoting the objects and purposes of the Club and no part of that property or income may be distributed or otherwise paid, directly or indirectly, to any Member, except in good faith in promoting the objects or purposes.

5 QUALIFICATION FOR MEMBERSHIP

5.1 Class of Membership

The membership of the Club consist of:

- a) **Senior Players:** 17 years of age and over on the thirty-first (31st) day of August of the year of membership.
- b) **Junior Players:** under the age of 17 years on the thirty-first (31st) day of August of the year of membership.
- c) **Non-Playing/Social (Ordinary) Members:** any person, other than a playing Member, who qualifies under rule 5.2.
- d) **Centennial Life Member:** any person who became a member upon paying the nominated fee celebrating the Club's 100th Anniversary of affiliation with the WACA and is entitled to membership to the Club for life. These members for the purposes of these rules are considered as the same the class of membership identified under paragraph c).
- e) **Life Member:** any person elected in accordance with Rule 5.3.

5.2 Becoming a Member

Any person who is not barred/expelled by these rules and/or by the rules of any affiliated Association, Council or League to which the Club is associated or connected, shall be eligible to become Members of the Club, subject to the following provisions:

- a) All senior and junior players invited to join and play for the Club and become fully financial by 31st December of each year qualify for playing membership.
- b) All applications for non-playing/social Members are to be applied for in writing and endorsed by a financial Member of the Club that is not a junior player and lodged with the Secretary.
- c) All applications for non-playing/social (Ordinary) membership shall be made available to the membership via posting on the club notice board for a minimum period of 7 days prior to consideration by the Committee – provided the period between nomination and election is not less than 14 days.
- d) All applications endorsed by a financial Member of the Club shall be submitted to the Secretary for placement on the club notice board and subsequent consideration at a Committee meeting.
- e) The Committee shall be entitled to approve or refuse any application at it's discretion and without any right to an applicant to require an explanation.
- f) Any person who has their application approved shall be notified by the Committee and details recorded in the membership register.
- g) Any person who has their application approved shall be deemed to have agreed to these rules as from the receipt by them of notice of their admission to membership of the Club.
- h) Members of the Club shall be entitled to a copy of these rules free of any charges.
- i) Temporary Members – A person who is on any day visiting the Club as a member or an official of another club (including people assisting a visiting club) that is to:
 - i) engage in a pre-arranged event with the Club conducted for one of the purposes under the objects stated under rule 1.2; or
 - ii) hold a pre-arranged function at the Club involving the Club's sporting facilities, may be taken to be a person who is afforded temporary membership on that day.

5.3 Life Members

The Committee may nominate Honorary Life Members in consideration of special services rendered to the Club.

Honorary Life Members shall be elected at an Annual General Meeting or Special General Meeting of the Members where the nature of the special services rendered shall be fully explained by the committee to the Members present at the meeting. Following the explanation, a vote by show of hands or ballot may be taken to elect the nominee as an Honorary Life Member of the Club.

6 LIABILITY AND ENTITLEMENTS OF MEMBERS

6.1 Voting Rights

All Members (as specified in Rule 5.1) who are required to and have paid a subscription of not less than thirty dollars (\$30) and are not barred/expelled by these rules and/or by the rules of any affiliated Association, Council or League to which the Club is associated or connected to, shall be entitled to speak and vote at all meetings of the Club.

6.2 Guests

A member of the Club is permitted to receive on the Club's premises a maximum of five (5) guests per day.

6.3 Liability of Members

A Member is only liable for their outstanding membership fees payable under Rule 9.2.

A Member, by reason of their membership, is not liable for the liabilities:

- a) of the Club or the cost of winding up the Club; or
- b) incurred by or on behalf of the Club by the Member before incorporation.

6.4 Payment to Members

No portion of the income or property of the Club may be paid directly or indirectly, by way of dividend, bonus or otherwise to Members unless:

- a) the payment is in good faith of remuneration to any officer, employee or Member in return for any services actually rendered to the Club (including honorariums) or for goods supplied in the ordinary and usual course of business;
- b) the payment of interest at a rate not exceeding the prevailing market rate published by the Reserve Bank of Australia as the "cash rate Target" from time to time on money borrowed from any Member;
- c) the payment of reasonable and proper rent by the Association to a Member for premises leased by the Member to the Club; or
- d) the reimbursement of expenses incurred by any Member or any Committee Member on behalf of the Club.

6.5 Membership Entitlements not Transferable

A right, privilege or obligation that a person has because of their membership of the Club:

- a) is not capable of being transferred to any other person; and
- b) ends when the person's membership ceases.

7 CEASING BEING A MEMBER

7.1 Ending of Membership

A person's membership ceases, if the person:

- a) dies;
- b) ceases being a Member by virtue of rules 7.2 or 7.3; or
- c) ceases to be a senior or junior player at the Club.

Where a person's membership ceases by virtue of b), the Secretary is to retain for a period of 12 months after the person's membership ceases, the date and reasons why the person ceased to be a Member.

7.2 Resigning as a Member

A Member who has paid all amounts payable to the Club in respect of their membership may resign as a Member by giving written notice to the Secretary.

The resignation of the Member is effective from the time the Secretary receives the written notice or at a later date specified in the notice from the Member.

A Member who resigns or retires from the Club:

- a) remains liable to pay to the Club any outstanding fees which may be recovered as a debt due to the Club; and/or
- b) shall not be entitled to, or have any claim upon any portion of the property of the Club.

7.3 Suspending/Expelling a Member

A Disciplinary Panel consisting of the Vice President Playing Group and two Members of the general/management Committee (who are not part of the Executive Committee) and the Director of Coaching (or Head Coach in the absence of the Director) will convene when a Member has:

- a) contravened any of these rules, by-laws, or codes of practice of the Club or of any affiliated Association, Council or League to which the Club is associated or connected with; or
- b) acted detrimentally to the interests of the Association.

The Disciplinary Panel may decide to suspend/expel a person's membership from the Club and any fines levied on the Club which are in the opinion of the Disciplinary Panel are attributable to negligence of a Member of the Club shall be paid by such Member if required by Disciplinary Panel.

On behalf of the Disciplinary Panel, the Secretary must give the Member written notice of the proposed suspension or expulsion at least 28 days before a meeting of the Disciplinary Panel at which the proposal is to be considered by the Disciplinary Panel.

The notice given to the Member must state:

- a) when and where the Disciplinary Panel meeting is to be held; and
- b) the grounds on which the proposed suspension or expulsion is based; and
- c) that the Member, or the Member's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the Disciplinary Panel about the proposed suspension or expulsion.

At the Disciplinary Panel meeting, the Disciplinary Panel must:

- a) give the Member, or the Member's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the Disciplinary Panel about the proposed suspension or expulsion; and
- b) give due consideration to any submissions so made; and
- c) decide whether or not to:
 - (i) suspend the Member's membership and, if the decision is to suspend the Membership, the period of suspension; or
 - (ii) expel the Member from the Club.

A decision of the Disciplinary Panel to suspend the Member's membership or to expel the Member from the Club takes immediate effect.

The Disciplinary Panel must give the Member written notice of its decision, and the reasons for the decision, within 7 days after the Executive Committee meeting at which the decision is made.

A Member whose membership is suspended or who is expelled from the Club may, within 14 days after receiving notice of the Disciplinary Panel's decision give written notice to the Secretary requesting a review of the decision of the Disciplinary Panel by the full Executive Committee.

An appeal to the Executive Committee can only be to dismiss or uphold the decision of the Disciplinary Panel. The decision of the Executive Committee in all cases shall be final and binding.

During the period a Member's membership is suspended, the Member:

- a) loses any rights (including voting rights) arising as a result of membership; and
- b) is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to the Club.

When a Member's membership is suspended, the Secretary must record in the register of members:

- a) that the Member's membership is suspended; and
- b) the date on which the suspension takes effect; and
- c) the period of the suspension.

When the period of the suspension ends, the Secretary must record in the register of members that the Member's membership is no longer suspended.

Any suspension or expulsion of a Member is to be reported at the next Annual General Meeting of the Club.

7.4 Reinstatement of a Member

If the Executive Committee determines to dismiss the decision of the Disciplinary Panel, therefore revoking the suspension/expulsion of the Member, any act performed by the Disciplinary Panel or the Executive Committee during the period the Member was suspended/expelled, is deemed to be valid, notwithstanding the Member's inability to exercise their rights or privileges of membership, including voting rights, during the period of suspension/expulsion.

8 MEMBERSHIP REGISTER

8.1 Register of Members

A person authorised by the Committee must maintain a register of all members in a manner approved by the Committee. The register must be available for inspection at the premises and is to contain the full name and contact details of each Member.

8.2 Inspecting the Register

Any Member is able to inspect the register without cost and must contact the person authorised by the Committee maintaining the register to arrange access.

8.3 Copy of the Register

A Member may request in writing a copy of the register in which the Member must set out the purposes of the request and declare that it is for the purposes connected to the activities of the Club.

The Club may charge a reasonable fee as determined by the Committee for providing a copy of the register.

8.4 Prohibited Use of the Register

A Member must not use or disclose the information on the register:

- a) to gain access to information that a Member has deliberately been denied (that is, in the case of social, family or legal differences or disputes); or
- b) to contact, send material to the Club or any Member of the Club for the purposes of advertising for political, religious, charitable or commercial purposes unless the use of the information is approved by the Committee; or
- c) for any other purpose not connected to the activities of the Club, unless it is to comply with the provisions of the Act.

9 MEMBERSHIP FEES

9.1 Subscriptions for Members

The annual subscriptions for playing members and non-playing/social members shall be fixed at the Annual General Meeting.

9.2 Payment of Fees

Payment of annual subscriptions for all paying members shall be paid in full by 1st December in each year. Life members and Centennial Life members are exempt from having to pay annual subscriptions.

Payments for playing members may be made in full or under a payment plan that requires payment in three equal installments; being by 1st October, 1st November and 1st December.

Non-playing/social (Ordinary) members may pay in full, half-yearly, quarterly or monthly.

10 POWERS AND COMPOSITION OF THE MANAGEMENT/GENERAL COMMITTEE

10.1 Powers of the Committee

The governing body of the Club is the Management/General Committee and has the authority to control and manage the affairs (including financials) of the Club. Subject to these Rules and any By-law or lawful resolution passed by the Club in a Special General Meeting or Annual General Meeting, the Committee:

- a) may exercise all powers and functions as may be exercised by the Club, other than those required to be exercised at a Special General meeting or Annual General Meeting of members; and
- b) has the power to perform all acts and do all things as appear to the Committee to be necessary or desirable for the proper management of the business and affairs of the Club including delegation to a sub-committee to perform a function on behalf of the Committee;
- c) may appoint one or more sub-committees, and for the purpose of a sub-committee co-opt any Member of the Club who may not be a Member of the Committee, for any purpose whatsoever connected with the affairs of the Club.

10.2 General/Management Committee Members

The office holders of the Club, known as the Executive Committee, shall be ex-officio members of the General/Management Committee and consist of:

- a) President
- b) Three Vice Presidents
- c) Secretary (with or without an Assistant)
- d) Treasurer (with or without an Assistant)

The duties of the Executive Committee are set out under rule 11.3.

The Executive Committee and no more than seven (7) committee members will constitute the General/Management Committee. A Member of the Committee must be:

- a) a Member of the Club and be over 18 years in age;
- b) not have been convicted of, or imprisoned in the previous five years for:
 - i) an indictable offence in relation to the promotion, formation or management of a body corporate; or
 - ii) an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than three (3) months; or
 - iii) an offence under Part 4 Division 3 or section 127 of the Act, unless the person has obtained the consent of the Commissioner responsible for the Act.

No person shall be entitled to hold a position on the Committee if the person is, according to section 13D of the *Interpretation Act 1984*, a bankrupt or a person whose affairs are under insolvency laws unless the person has obtained the consent of the Commissioner responsible for the Act.

10.3 Appointment of General/Management Committee Members

Nominations for candidates shall be lodged in a form with the Secretary prior to the commencement of the Annual General Meeting or a by a nominated date set by the Secretary. The form shall detail the name, signature and proposed position of the candidate together with the names and signatures of the proposer and seconder.

All members of the Committee shall be appointed at the Annual General Meeting for a period of 12 months and take up their positions at the close of the Annual General meeting at which they were elected.

In the event of insufficient number of members being nominated for election at the Annual General Meeting, nominations may, with the consent of the meeting, be accepted without notice.

Should it be found necessary to fill a vacancy of the Committee during the 12-month period, the Committee at a Committee meeting shall fill the vacancy.

10.4 Appointment of WACA/Joint Management Committee Delegate

The Committee shall appoint a Member(s), and a proxy, from the Committee as the Club's delegate to the:

- a) WACA District Cricket Council (or any other such name that may be used from time-to-time) for a period of 12 months, subject to the rules of the WACA District Cricket Council; and
- b) Joint Management Committee, when required, for the running and caretaking of Stevens Reserve.

10.5 Grading/Selection Committee

A Grading sub-committee may be appointed by the Committee to select teams for all grades (except juniors) prior to the first match of the season.

A Selection sub-committee will consist of the Director of Cricket, Head Coach and a person appointed by the Committee as the Chairman of Selectors. The Selection sub-committee may from time-to-time co-opt any Member to participate in the selection process.

The Selection sub-committee will select teams for each grade (including Colts) on the Thursday preceding the weekend round of matches and will ensure selections are appropriately notified to the governing body. The Selection sub-committee will not select junior teams; this will be the responsibility of the junior coaches.

(Amendment to Clause 10.5 made on 29/07/20 by resolution (Item 9.1) at the Annual General Meeting)

10.6 Selection of Coaching Panel and Captains

Coaching Panel

The Committee is responsible for the appointment of the coaching panel under any terms and conditions considered appropriate by the Committee.

Captains

On the recommendation of the coaching panel, the Committee is to ratify the selection of the Captain for each grade.

It is the responsibility of the coaching panel and each grade captain to ensure all match day requirements stipulated by the Committee and governing body are complied with.

(Amendment to Clause 10.6 made on 29/07/20 by resolution (Item 9.1) at the Annual General Meeting)

11 ROLES AND RESPONSIBILITIES OF COMMITTEE MEMBERS

11.1 Obligations of the Committee

It is incumbent on the Committee to take all reasonable steps to ensure the Club complies with the Act and these Rules.

Each Committee Member must exercise and discharge their responsibilities with a degree of care and diligence that a reasonable person would exercise in the circumstances and in good faith in the best interests of the Club.

A Committee Member (or former Committee Member) must not improperly use their position or information obtained to gain an advantage for themselves or another person; or cause detriment to the Club.

No Committee Member shall make any public statement or comment or cause to be published any words or article concerning the conduct of the Club, unless the person is authorised by the Committee to do so and such authorisation has been recorded in the minutes.

11.2 Pecuniary or Material Interests

A Committee Member who has any pecuniary or material personal interest in a matter being considered at a Committee meeting must:

- a) disclose to the Committee the nature and extent of the interest as soon as they become aware of the matter;
- b) disclose the nature and extent of the interest at the next Annual General Meeting of the Club; and
- c) not be present while the matter is being considered at the Committee meeting and abstain from voting on the matter.

The above does not apply to material personal interests that:

- a) exists only because the Committee Member belongs to a class of persons for whose benefit the Club is established; and
- b) the Committee Member has in common with all, or a substantial proportion of, the members of the Club.

The Secretary must ensure a standing item is on the agenda to enable any pecuniary or material personal interests to be declared prior to the commencement of any Committee business and record in the minutes of the relevant meeting every disclosure made.

11.3 Roles of Executive Committee

The roles of the Executive are as follows:

President

- a) Presides over all meetings and ensures that all business is conducted in a proper manner and in accordance with the Rules of the Club.
- b) May call meetings of the Committee at any time.
- c) In case the votes at any time shall be equal, he may exercise the privilege of giving a casting vote only.
- d) Shall, on written requisition of ten (10) financial members, call a Special General Meeting to discuss the business contained in such requisition.

- e) At meetings of the Committee, the President may attend and vote as a Member excise a deliberate as well as a casting vote.
- f) Must ensure the minutes or meetings of the Committee are true and correct.

Vice President

- a) The Vice Presidents shall assist the President at meetings of the Club.
- b) In the absence of the President, one of the three elected Vice Presidents shall preside over the Committee meeting and take on all responsibilities associated with the conduct of a Committee meeting.

Secretary (or Assistant Secretary where required)

- a) In consultation with the President, sets the agenda for each Committee meeting.
- b) Convenes all meetings of the Committee.
- c) Accurately records the business conducted by the Committee at each Committee meeting.
- d) Co-ordinates all written correspondence/responses on behalf of the Committee.
- e) Maintains the Rules of the Club.
- f) Maintains the record of office holders of the Club.
- f) Ensures safe custody of the records (with the exception of the financial records) of the Club.

Treasurer (or Assistant Treasurer where required)

- a) Shall receive and pay all monies and keep a correct account of all moneys received and expended.
- b) Shall ensure all monies received in favour of the Club are banked into the Club's bank account.
- c) Shall ensure the Club complies with the account keeping requirements in Part 5 of the Act.
- d) Ensure the safe custody of all of the Club's financial records.
- e) Prepare all financial records for presentation at Committee meetings and the Annual General Meeting of the Club.
- f) Co-ordinate the preparation of the Financial Statements of the Club prior to presentation to the Annual General Meeting.
- g) Where required assist auditors (whenever appointed) in performing their functions.
- h) Maintain the register of members of the Club.

12 CEASING AS A MEMBER OF THE COMMITTEE

12.1 Ceasing Being a Member of the Committee

A casual vacancy occurs on the Committee and if a Member of the Committee:

- a) dies;
- b) ceases to be a Member;
- c) becomes disqualified from holding a position on the Committee by virtue of rule 10.2;
- d) becomes permanently incapacitated by ill-health;
- e) resigns under rule 12.2;
- f) is removed under rule 12.3;
- g) is absent from more than:
 - i) three consecutive Committee meetings without good reason; or
 - ii) three Committee meetings in the same financial year without tendering an apology to the Secretary prior to the commencement of the meeting,

where the Member was provided notice of the meetings and the Committee subsequently resolves to declare the office of the Member vacant.

If a position of the Committee is declared vacant under rule 12.1 (g), the Committee may fill that vacancy in accordance with rule 10.3 relating to vacancies for the balance of the term until the Annual General Meeting.

If the number of members is less than the number fixed under rule 1.6, the remaining Committee may only continue to act to increase the required numbers of members on the Committee to comply with rule 1.6 or convene a Special General Meeting.

12.2 Resigning as a Member of the Committee

A Committee Member may resign from the Committee by giving written note to the Secretary, or if the Member is the Secretary, to the President.

The resignation takes effect from receipt of the notice or from a later date specified in the notice.

12.3 Removal from the Committee

Subject to rule 12.1(g), a Member of the Committee can only be removed by resolution at a Special General Meeting if the majority of members present, eligible to vote, vote in favour of the removal.

The Committee Member who is subject to removal must be afforded the principles of natural justice and allowed at the Special General Meeting to state their case as to why they should not be removed from the Committee.

Should all the Committee be removed at a Special General Meeting, at the same meeting, the members must elect an interim Committee. The interim Committee must within two months convene a Special General Meeting for the purposes of electing a new Committee for the balance of the term until the Annual General Meeting.

13 COMMITTEE MEETINGS

13.1 Meetings of the Committee

Meetings of the Committee shall be held at least once per month, unless exceptional circumstances exist where a meeting cannot be held. Meetings are to be generally held at the clubrooms of the Club unless the Committee determines otherwise.

The President and the Secretary has the power to convene additional meetings of the Committee (including general meetings) whenever deemed necessary. Two Committee members with the consent of the President may also convene additional meetings of the Committee.

Where a general meeting of the membership is convened Rules 13.2 – 13.8 apply to the meeting.

13.2 Notice of Committee Meetings

The Secretary must provide each Committee Member at least 3 days notice prior to each Committee meeting (7 days in the case of a General meeting). The notice must also include an agenda, minutes of the previous meeting and any other document the President or Secretary considers pertinent to the meeting.

Notice of the meeting may be in the form of an email, text or any other electronic format, provided the Committee members are able to receive the required documents referred above.

Only the business specified in the Agenda is to be conducted at the meeting. However, with the leave of the President, urgent business may also be raised and conducted if the Committee members unanimously agree to treat the business urgent.

13.3 Chairing Committee Meetings

The President or, in the absence of the President a Vice President, shall preside over each meeting of the Committee.

Where the President or a Vice President is absent or unwilling to preside over the meeting, the remaining Committee members must select a Committee Member to preside over the meeting.

13.4 Procedure of the Committee

The quorum for a Committee meeting is specified in rule 1.6. The meeting of the Committee cannot commence until a quorum is present.

Should a quorum not be present after 30 minutes of the appointed time, the meeting is to stand adjourned until the same time, day and place the following week.

If a quorum is not present 30 minutes after the appointed time for the adjourned meeting, the Committee members present at the meeting will constitute a quorum.

Committee meetings may take place where Committee members are physically present or are able to communicate by using technology that allows a Member to effectively participate in the meeting. A Committee Member not physically present but participates through a technical apparatus:

- a) is deemed to be present at the meeting for the purposes of establishing a quorum;
- b) must be aware of all other Committee members present at the meeting and the business before the Committee; and
- c) must advise those present at the meeting when they cease to be no longer present.

Any Member or guest, with the leave of the President, may attend a meeting of the Committee. However, such person does not have any voting rights and may only comment on matters when invited.

13.5 Conduct of the Order of Business

The President shall declare the meeting open at the appointed time, or once a quorum has been obtained within 30 minutes after the appointed time. The minimum standing orders of business shall be:

1. Apologies
2. Confirmation (or otherwise) of Previous Minutes of Meeting
3. Disclosure of Pecuniary/Material Interests
4. Business Arising from Previous Meetings
5. Reports relating to the running of the Club as determined by the Committee from time to time
6. General Business

The Committee may from time to time include additional items on the Agenda but must always consider the above matters as standing items.

The Secretary, or in the absence of the Secretary, a person authorised at the Committee meeting, shall keep minutes of the meeting including details of all proceedings, resolutions and names of persons in attendance (and apologies of Committee members) at each meeting.

13.6 Notice of Motion

Every Committee Member is entitled to give a notice of a motion. In order to facilitate effective flow of business, the following should be observed:

- a) The Member should provide advice seven (7) days prior to the scheduled meeting to the Secretary to place on the Agenda the proposed motion. In the case of a General Meeting 21 days.
- b) Where a Member proposes to move a proposal during the meeting relevant to the matter under discussion, the motion will be proposed through the President.
- c) All notices of a motion (or proposal to move under (b)) must be seconded.
- d) As soon as the motion has been discussed/debated and every Committee Member who wishes to do so has spoken to the motion, the President shall put the motion to the Committee.
- e) The motion put shall be resolved by a majority of votes in the affirmative or negative by a show of hands or by a ballot.
- f) Where there is an equality of votes, the President shall, in accordance with rule 13.7 be entitled to a second or casting vote.
- g) Where an amendment to the motion is proposed, before the motion can be resolved, the amendment has to be approved by a majority of votes in the manner described in (e) and (f).
- h) Where an amendment to a motion fails, the original motion shall be put to the Committee.

13.7 Voting at Committee Meetings

Each Committee Member present at a Committee meeting has a deliberate vote.

A question arising at a Committee meeting is to be decided by a majority of votes, but if there is an equality of votes, the President (or person presiding over the Committee meeting in accordance with rule 13.3) is entitled to exercise a second or casting vote.

Decisions may be made by general agreement or a show of hands.

A poll by secret ballot may be used if the Committee prefers to determine a matter in this way and the person presiding over the Committee meeting is to oversee the ballot.

13.8 Orders of Debate

Every Committee Member has a right to contribute to a debate/discussion being considered by the Committee unless rule 11.2 applies.

When a matter is being debated/discussed before the Committee the following procedures will apply:

- a) Only one Member will speak to the matter at any one time and not be interrupted unless when called to order by the President or Member presiding over the meeting.
- b) When two or more members attempt to speak at the same time on a matter, the President or presiding Member shall determine who shall speak first.
- c) Where a motion/proposal has been put to the Committee for consideration the proposer has the right or reply to respond to any concerns raised by members who may oppose the motion/proposal.

- d) Contributions to debates/discussions must be confined to the subject matter, avoid personality and not be discourteous.
- e) Any Member dissatisfied with the decision of the President or presiding Member, may appeal to the members present and provided the appeal is seconded, the question to be put is "*Shall the decision of the President (or presiding Member) stand as the judgement of the Club?*"; which shall be decided without debate.

13.9 Suspension of Standing Orders

A standing order under 13.5 may be suspended where a two-thirds majority of members present at any meeting agree provided that the object of the suspension of orders shall not be the rescinding of any resolutions previously adopted by the Club.

13.10 Acts not Affected by Defects or Disqualifications

Any act performed by the Committee, a sub-committee or a person acting as a Committee Member is deemed to be valid even if the act was performed when:

- a) there was a defect in the appointment of a Committee Member, sub-committee or person holding a subsidiary office; or
- b) a Committee Member, a sub-committee Member or a person holding a subsidiary office was disqualified from being a Member.

13.11 Adjournment of a Committee Meeting

The President or person presiding over a Committee meeting, at which a quorum is present, may adjourn the meeting with the consent of a majority of the Committee members present at the meeting.

No business is to be conducted at an adjourned meeting other than the unfinished business from the meeting adjourned.

Where a Committee Meeting is adjourned for 14 days or more, the Secretary must give notice in accordance with Rules 2.2 and 13.2 as if the Committee Meeting was a new meeting.

14 ANNUAL GENERAL MEETINGS

14.1 Meetings

The Annual General Meeting (AGM) of the Club shall be held during the month of July each year on a day and time determined by the Committee. Should the AGM for whatever reason cannot be held in July, it must be held prior to the 1st November; that is, no later than six (6) months after the end of the Club's financial year.

The AGM is to be held at the clubrooms of the Club unless the Committee determines otherwise or the clubrooms are unavailable.

14.2 Procedure of the Annual General Meeting

The quorum for an AGM is specified in rule 1.6 and cannot commence until a quorum is present.

Should a quorum not be present after 30 minutes of the appointed time, the meeting is to stand adjourned until the same time, day and place the following week.

If a quorum is not present 30 minutes after the appointed time for the adjourned meeting, the members present at the meeting will constitute a quorum.

Annual General Meetings may take place where members are physically present or are able to communicate by using technology that allows a Member to effectively participate in the meeting.

A Member not physically present but participates through a technical apparatus:

- a) is deemed to be present at the meeting for the purposes of establishing a quorum;
- b) must be aware of all other members present at the meeting and the business before the Committee; and
- c) must advise those present at the meeting when they cease to be no longer present.

14.3 Notice of Annual General Meetings

The Secretary must provide each Member 14 days notice of the Annual General Meeting. The notice must include:

- a) details the date, time and place of the AGM; and
- b) the orders of business (including any Notice of Motions lodged under Rule 14.6).

Notice of the meeting may be in the form of an email, text or any other electronic format.

Only the order of business specified in the Agenda is to be conducted at the meeting.

14.4 Chairing the AGM

The President or, in the absence of the President a Vice President, shall preside over an Annual General Meeting.

Where the President or a Vice President is absent or unwilling to preside over the AGM, the remaining Committee members must select a Committee Member to preside over the meeting.

14.5 Conduct of the Order of Business

The orders of business for an AGM shall be:

1. Apologies
2. Confirm Minutes of Previous Meeting (and any Special General Meeting(s) convened under Rule 15)
3. Disclosure of Pecuniary/Material Interests
4. Business Arising from Previous Meeting
5. Annual Report and Balance Sheet
6. Election of Office Bearers (as per rule 10.2)
7. Striking of Subscription Rates
8. Life Memberships (if nominated by the Committee)
9. General Business

14.6 Notice of Motion

Every Member is entitled to give a notice of a motion. In order to facilitate effective flow of business, the following should be observed:

- a) The Member should provide advice twenty-eight (28) days prior to the scheduled meeting to the Secretary to place on the Agenda the proposed motion.
- b) Where a Member proposes to move a proposal during the AGM relevant to the matter under discussion, the motion will be proposed through the President.
- c) All notices of a motion (or proposal to move under (b)) must be seconded.

- d) As soon as the motion has been discussed/debated and every Member who wishes to do so has spoken to the motion, the President shall put the motion to the membership.
- e) The motion put shall be resolved by a majority of votes in the affirmative or negative by a show of hands or by a ballot.
- f) Where there is an equality of votes, the President shall, in accordance with rule 14.7 be entitled to a second or casting vote.
- g) Where an amendment to the motion is proposed, before the motion can be resolved, the amendment has to be approved by a majority of votes in the manner described in (e) and (f).
- h) Where an amendment to a motion fails, the original motion shall be put to the membership.

14.7 Voting at an Annual General Meeting

Each fully paid Member present at an AGM has a deliberate vote unless the Member has a pecuniary or material personal interest in a matter being considered at the AGM meeting. In this regard, the same rules as specified for a Committee Member under Rule 11.2 will apply to the Member.

A question arising at an AGM is to be decided by a majority of votes, but if there is an equality of votes, the President (or person presiding over the AGM in accordance with rule 14.4) is entitled to exercise a second or casting vote.

Decisions may be made by general agreement or a show of hands.

A poll by secret ballot may be used if the members prefer to determine a matter in this way and the person presiding over the AGM is to oversee the ballot.

14.8 Orders of Debate

Every Member has a right to contribute to a debate/discussion being considered by the Committee, unless the Member has a pecuniary or material personal interest in a matter being considered at the AGM meeting. In this regard, the same rules as specified for a Committee Member under Rule 11.2 will apply to the Member.

When a matter is being debated/discussed at the AGM the following procedures will apply:

- a) Only one Member will speak to the matter at any one time and not be interrupted unless when called to order by the President or Member presiding over the meeting.
- b) When two or more members attempt to speak at the same time on a matter, the President or presiding Member shall determine who shall speak first.
- c) Where a motion/proposal has been put to the Committee for consideration the proposer has the right or reply to respond to any concerns raised by members who may oppose the motion/proposal.
- d) Contributions to debates/discussions must be confined to the subject matter, avoid personality and not be discourteous.
- e) Any Member dissatisfied with the decision of the President or presiding Member, may appeal to the members present and provided the appeal is seconded, the question to be put is "*Shall the decision of the President (or presiding Member) stand as the judgement of the Club?*"; which shall be decided without debate.

14.9 Adjournment of an Annual General Meeting

The person presiding over an AGM, at which a quorum is present, may adjourn the meeting with the consent of a majority of the members present at the meeting. No business is to be conducted at an adjourned meeting other than the unfinished business from the meeting adjourned.

Where an AGM is adjourned for 14 days or more, the Secretary must give notice in accordance with Rules 2.2 and 14.3 as if the AGM was a new AGM.

15 SPECIAL GENERAL MEETINGS

15.1 Meetings

The Secretary may convene a Special General Meeting on the request of the Committee or after receiving written request signed by no less than 10 per cent of the members of the Club. The Secretary must convene the meeting within 28 days of receiving the request.

A written request from the members of the Club must state the purpose of the meeting and be lodged with the Secretary.

If the Secretary fails to convene a meeting within 28 days, the members of the Club who requested the Special General Meeting may convene the meeting within 3 months of the original request as if the members were the Committee. Any such meeting is to be conducted in accordance with rules 14.7 and 14.8.

15.2 Notice of Special General Meetings

The Secretary must provide each Member 3 days notice of a Special General Meeting. The notice may be in the form of an email, text or any other electronic format and must include:

- a) details the date, time and place of the meeting; and
- b) the purpose of the meeting.

Only the order of business specified as the purpose of the Special General Meeting is to be conducted at the meeting.

15.3 Voting and Debates at a Special General Meetings

The same rules as set out in 14.7 and 14.8 apply at a Special General Meeting.

16 MINUTES OF MEETINGS

The Secretary shall keep minutes of meetings of all Committee, General, Special General and Annual General meetings detailing, all proceedings, resolutions and members present at each meeting.

The Secretary is responsible for maintain all confirmed minutes of meetings in a safe a secure place.

The President or person presiding over a meeting must ensure that the minutes of the immediate past meeting are reviewed and are confirmed as accurately reflecting the previous meeting. The President or person presiding over the meeting shall sign and date the minutes a true reflection of the previous meeting.

Once signed, the minutes of meeting are, until the contrary is proved, evidence that the meeting that they relate to was:

- a) duly convened and held;
- b) an accurate record of the proceedings; and
- c) confirmation of elections and valid appointments.

A Member in accordance with Rule 20.2 may inspect minutes of meetings, unless the Committee determines otherwise that the minutes cannot be inspected.

17 FUNDS AND ACCOUNTS

17.1 Control of Funds

The funds of the Club must be kept in an account in the name of the Club in a financial institution determined by the Committee.

The funds of the Club are to be used in pursuance of the objects of the Club. All expenditure above the maximum amount set by the Committee from time to time must be approved or ratified at a Committee Meeting.

All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments of the Club must be signed by the Treasurer and a:

- a) Member of the Executive Committee; or
- b) person authorised by the Committee.

Where payments are made by direct debit or by any form of electronic funds transfer, all payments to be made over a determined amount set by the Committee from time to time must be first approved by the Committee. Where the Treasurer is required to make an urgent payment prior to the next Committee meeting over the determined amount this can be authorised by the President and one other member of the Executive Committee.

17.2 Source of Funds

The funds of the Club may be derived from entrance fees and annual membership fees, donations, fund raising activities, grants, interest, and any other sources approved by the Committee.

The Treasurer must, as soon as practicable deposit all money received by the Club, to the credit of the Club's bank account without deduction and issue an appropriate receipt.

17.3 Financial Records

The Club must keep financial records that correctly record and explain its transactions, financial performance and position, and enable true and financial statements to be prepared in accordance with Part 5 of the Act.

The Club must retain its financial records for a minimum period of seven (7) years after the transactions covered by the records are completed.

17.4 Financial Statements and Reports (and Audits)

For each financial year the Club must:

- a) prepare financial statements and audit the financial statements in a timely manner to enable presentation to members at the AGM. A copy of the auditor's review/report is to be made available at the AGM; and
- b) if required by the regulations made under the Act, lodge a return with the Commissioner.

The Club must ensure that an audit of the financial statements is undertaken:

- a) for the purposes of presentation to the AGM;
- b) if resolved by members at either a General, Committee, or Special General Meeting;
- c) directed by the Commissioner; or
- d) as a condition of a funding arrangement or grant.

18 BY-LAWS

The Committee shall from time to time have power to make such By-Laws as may be necessary to carry out the objects of the Club, and to vary or rescind such By-Laws from time to time, as they may consider necessary provided that the By-Laws are not inconsistent with the Rules or Act.

The By-Laws do not form part of the Rules and may make provision for:

- a) classes of membership and the rights and obligations that apply to each class of membership;
- b) requirements for financial reporting, financial accountability or audit of accounts in addition to those prescribed by the Act and the Rules;
- c) restrictions on the powers of the Committee including the power to dispose of assets;
- d) the requirement for members to hold a specified educational, trade or professional qualification; and
- e) any other matter that the Club considers necessary or appropriate.

The By-Laws must be available for inspection by Members.

19 RULES OF THE CLUB

These Rules bind every Member and the Club with each Member agreeing to comply with these Rules and the Club maintaining a current copy of the Rules.

The Club must provide or make available, free of charge, a copy of the Rules, at the time Membership commences, to each person who becomes a Member under Rule 5.

19.1 Amendments to the Rules

Other than for typographical purposes no alteration of, or addition to these Rules shall be effected unless agreed to by a 75 per cent majority at a Special or Annual General Meeting called for that purpose. Any typographical/technical amendments will be tabled at the AGM for ratification.

Where an amendment to these Rules has been passed, the amendments must be submitted by the Secretary to the Commissioner within one month of the resolution passing the amendments.

The amendments to the Rules do not take effect until lodged with the Commissioner. Where the amendments change the name of the Club or the objects, the Rules do not take effect until the Commissioner has provided approval.

(Amendment to Clause 19.1 made on 29/07/20 by resolution (Item 9.1) at the Annual General Meeting)

20 THE CLUB'S BOOKS AND RECORDS

20.1 Custody of Books and Records

Except as otherwise decided by the Committee from time to time, the Secretary must keep in his or her custody or under his or her control all of the Books of the Club with the exception of the Financial Records which, except as otherwise directed by the Committee from time to time, are to be kept under the custody or control of the Treasurer.

The Books of the Club must be retained for at least 7 years.

20.2 Inspecting the Books and Records

Subject to these rules, and in particular Rule 16, a Member is able to inspect the Books of the Club free of charge at such time and place as is mutually convenient to the Club and the Member.

If a Member wishes to inspect the Books of the Club, the Member must lodge a request in writing with the Secretary detailing the specifics of the request.

The Member may copy details from the Books of the Club but has no right to remove the Books of the Club for that purpose.

20.3 Prohibition on the Use of Information of the Club's Books and Records

A Member must not use or disclose information in the Books of the Club except for a purpose:

- a) that is directly connected with the affairs of the Club; or
- b) related to the provision of the information to the Commissioner in accordance with a requirement of the Act.

20.4 Returning the Club's Books and Records

Outgoing Committee Members are responsible for transferring all relevant assets and Books of the Association to the new Committee within 14 days of ceasing to be a Committee Member.

21 DISPUTE RESOLUTION

21.1 Disputes Arising Under the Rules

Rule 21 applies to disputes between:

- a) members; and
- b) the Club and one or more members that arise under the Rules of the Club or relate to the Rules of the Club.

Under this Rule a "Member" includes any former Member whose membership ceased not more than six (6) months before the dispute occurred.

The parties to the dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

If the parties are unable to resolve the dispute, any party to the dispute may initiate a procedure under this Rule by giving notice to the Secretary of the parties to, and details of, the dispute. The Secretary must convene a meeting of the Committee within 28 days after receiving notice of the dispute for the Committee to determine an outcome.

21.2 Committee Process for Determining Dispute

Where a Committee meeting has been convened for the purposes of determining a dispute, the Committee will only deliberate on the dispute before it and no other Club business.

All parties to the dispute are to be afforded the principles of natural justice and be afforded the opportunity to state their respective cases before the Committee orally, in writing or both.

Once the Committee has made its determination on the material presented to it, the Secretary must inform all parties to the dispute in writing and providing reasons of the Committee's decision within seven (7) days of making its decision unless the Committee determines a later timeframe.

If any party is dissatisfied with the decision and reasons of the Committee they may elect to initiate mediation as specified under Rule 21.3.

21.3 Mediation

This Rule applies to:

- a) a Member who is a party to a dispute that has been determined by the Committee and is dissatisfied with the Committee's decision; or
- b) where a dispute arises between a Member or more than one Member and the Club and any party to the dispute elects not to have the matter determined by the Committee.

Where the dispute relates to the suspension or expulsion of Member under the procedure set out in Rule 7.3, this Rule does not apply until the procedure under Rule 7.3 has been completed.

Where a party to the dispute elects to undertake mediation, the party must provide in writing to the Secretary of the parties to, and details of, the dispute and agree to, or request the appointment of, a mediator. The party requesting mediation must pay the full costs of the mediation.

An appointed mediator must be a person chosen by agreement between the parties. Where agreement cannot be reached:

- a) if the dispute is between a Member and another Member, a person appointed by the Committee; or
- b) if the dispute is between a Member or more than one Member and the Club, the Committee or Member of the Committee, then a person who is a mediator appointed or employed by a not-for-profit organisation.

A Member of the Club can be appointed by the parties as a mediator, but cannot be a Member who is a party to the dispute.

The parties to the dispute must, in good faith, attempt to settle the dispute by mediation. Parties must exchange written statements of the issues subject to the dispute and supply copies to the mediator at least five (5) days prior to the agreed mediation session.

The mediator, in conducting the mediation, must:

- a) give the parties to the mediation process every opportunity to be heard;
- b) allow all parties to consider any written submissions by any party; and
- c) ensure the principles of natural justice are afforded to the parties throughout the mediation process.

The mediator must not determine the dispute and the mediation must be confidential. Information provided by the parties during the course of the mediation process cannot be used in any other legal proceedings that may take place in relation to the dispute.

21.4 Inability to Resolve Disputes

If a dispute cannot be resolved under the procedures set out in Rule 21, any party to the dispute may apply to the State Administrative Tribunal to determine the dispute in accordance with the Act or otherwise at law.

22 DISSOLUTION/DISTRIBUTION OF SURPLUS PROPERTY

The Club may be dissolved by resolution passed at a Special General Meeting by a 75 per cent majority of members present and eligible to vote on the matter.

Where such a resolution is passed, the Secretary will apply to the Commissioner for cancellation of the Club's incorporation; or appoint a liquidator to wind up the Club's affairs.

Before the Club's incorporation can be cancelled, the Club must have been wound up under Part 9 of the Act and have settled all outstanding debts and legal obligations.

Upon cancellation of the Club, surplus property must only be distributed to one or more of the following:

- a) an incorporated association under the Act that has similar objects to the Club;
- b) a body corporate that at the time of the distribution is the holder of a licence under the charitable collections legislation in Western Australia;
- c) a company that is limited by guarantee that is registered as mentioned in section 150 of the *Corporations Act 2001 (Cth)*;
- d) a company holding a licence that continues in force under section 151 of the *Corporations Act 2001 (Cth)*;
- e) a body corporate (or trustee of a body corporate) that is:
 - (i) is a Member or former Member of the WACA or other body responsible for cricket in Western Australia;
 - (ii) at the time the surplus property is distributed, has rules that prevent the property being distributed to its members;
- f) a co-operative registered under the *Co-operatives Act 2009* that at the time of the distribution, is a non-distributing co-operative as defined in that Act.

Dated: 31 July 2017



President (John Beattie)



Secretary (Mark Beecroft)