



# **Wilston Norths Junior Cricket Club Inc**

## **By Laws**

Version 1.2 – Approved by WNJCC Management Committee on  
21 January 2021

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## **Preamble**

Wilston Norths Junior Cricket Club Inc (the Club) is an association incorporated under the Associations Incorporation Act 1981.

These By Laws are intended to assist with the internal management of the Club. Rule 42 of the Constitution and Rules (**the Constitution**) of the Club deals with By Laws, which are not part of the Constitution but must be consistent with it.

This version 1.2 of the By Laws was approved by special resolution (passed by 75% of members present and entitled to vote) at the Annual General Meeting of the Club held on: 21 January 2021

## **By Laws**

### **1. GENERAL**

#### **1.1. NAME (CONSTITUTION RULE 2)**

The name of the Club may only be changed by the passing of a Special Resolution at a General Meeting of the Club by 75% of members present and entitled to vote.

For the avoidance of doubt, this By Law also applies to situations where the Club seeks to amalgamate with one or more incorporated associations having similar Objects; refer By Law 1.3.

#### **1.2. INCORPORATION STATUS**

As the Club is already incorporated, all Constitution Rules or part Rules dealing with unincorporated status or the transition to incorporation do not apply.

It is not proposed to amend the Constitution to remove such Rules or part Rules.

#### **1.3. COLOURS AND LOGOS**

The primary colours of the Club shall be royal blue and light blue; the secondary colour of the Club shall be dark yellow.

Other colours may be used at Management Committee discretion for Club sponsor signage, badging and training/ supporter items (including clothing).

For the time being, the existing diamond shaped logo is the approved Club logo. Any change/s shall be passed by 75% of members present and entitled to vote at a General Meeting.

No player shall play in the colours/logos of another club while playing for the Club.

#### **1.4. OBJECTS (CONSTITUTION RULE 3)**

The Objects of the Club are:

- To encourage children and youth to adopt an active lifestyle through playing cricket
- To encourage players to play the game of cricket within the Spirit of the Game
- To source and provide coaching, cricket equipment and facilities to club teams
- To participate in the cricket competitions conducted for juniors by Brisbane North Junior Cricket Association (BNJCA) and the Queensland Junior Cricket Association (QJCA);
- To encourage an interest into the activities of the senior club; and
- To be a feeder club to the senior club

### **1.5. POWERS (CONSTITUTION RULE 4)**

Notwithstanding the broad and wide ranging Powers contained in the Constitution, it is appropriate to specifically detail the following Powers, for the avoidance of doubt:

- To subscribe to, become a member of and co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Club, provided that the Club shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its surplus assets among its members under or by virtue of Rule 49 of the Constitution.
- In furtherance of the Objects of the Club, to amalgamate with any one or more incorporated associations having similar objects.
- In furtherance of the Objects of the Club, to contribute to, purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of such amalgamations.
- In furtherance of the Objects of the Club, to transfer all or any part of the property, assets, liabilities and engagements of the Club in any such amalgamations.

### **1.6. BRISBANE NORTH JUNIOR CRICKET ASSOCIATION (BNJCA)**

The Club shall be an affiliate of BNJCA and pay the annual affiliation and player registration fees set by BNJCA.

The Club shall appoint two (2) members to be Delegate Members to BNJCA; such BNJCA Delegate Members need not be Office Bearers of the Club; there is no restriction on members of the Management Committee being BNJCA Delegate Members.

Refer By Law 3.3 for functions of BNJCA Delegates.

The Club shall participate in competitions and matches organised and controlled by BNJCA; the Club and all members shall comply with the rules of such competitions and matches; and the related rulings and decisions of BNJCA.

The Club shall also comply with all other rules, rulings and decisions of BNJCA to the extent required by BNJCA's Constitution.

### **1.7. BY LAWS (CONSTITUTION RULE 42)**

Rule 42 (2) of the Constitution shall be strengthened to provide that any variation to these By Laws may be set aside by a majority vote of members present at a General Meeting of the Club and entitled to vote.

## **2. CLUB MEMBERSHIP**

### **2.1. CLASSES OF MEMBERS (CONSTITUTION RULE 5)**

There shall be two (2) classes of members:

- Ordinary Members
  - This membership class shall comprise both playing and non playing-members (i.e. parents, caregivers, players, Coaches (per By Law 5.1), Managers (per By Law 5.2))
  - Number: The number of ordinary members shall be unlimited
  - Eligibility: Must support Objects of the Club; membership approved by Management Committee
  - Limitations: Nil

- Special Condition: Patron, Vice Presidents (already elected), BNJCA Delegate Members, Sub Committee members and all other volunteers who provide material support to the Club, if not already members, shall be deemed ordinary members.
- Life Members
  - Number: Generally limited to one per year but this can be varied in special circumstances, upon the recommendation of the Management Committee, and as then determined by majority vote at a General Meeting
  - Eligibility: Special services to the Club, usually over a period of time; approved by majority vote of general meeting
  - Limitations: Nil

## **2.2. NEW MEMBERSHIP (CONSTITUTION RULE 7)**

Membership of the Club continues until it ends in terms of Rule 10 of the Constitution. Refer also Special Condition under ordinary member class in By Law 2.1.

Member personal particulars shall be updated annually.

## **2.3. MEMBERSHIP FEES (CONSTITUTION RULE 8): REFUND OF FEES**

The Management Committee shall have the power and right should it so desire to refund to any member or members subscriptions or playing fees paid; and/or permit or allow any person or persons to become ordinary members without the payment of the annual subscription or at a reduced subscription; or to permit any member or members to play for the Club without the payment of playing fees; and/or to permit any person or persons to become a member or members of the Club without the payment of the annual subscription and also without the payment of playing fees.

## **2.4. WHEN MEMBERSHIP ENDS**

The Management Committee may also terminate a member membership upon receipt of a request to provide financial clearance, and providing such clearance, for a member to transfer to another Club.

# **3. CLUB MANAGEMENT**

## **3.1. OFFICE BEARERS**

For the time being, Office Bearers of the Club shall be:

- Patron, President, previously elected Vice President, members of the Management Committee, BNJCA Delegate Members and Club Coach(s).

Refer also Special Condition under ordinary member class in By Law 2.1.

Management Committee members shall be elected at the Annual General Meeting in terms of Rules 18 and 19 of the Constitution.

Other Office Bearers shall be elected at the Annual General Meeting in the manner described in Rule 19 of the Constitution. The intent of the provisions of Rules 20 and 21 of the Constitution shall also apply to other Office Bearers.

## **3.2. AUDITOR**

An Auditor shall be appointed at the Annual General Meeting as per of Rule 32 of the Constitution.

Queensland Office of Fair Trading requires that an Auditor be either a person registered as an Auditor; or an Accountant who is a member of CPA Australia, The Institute of Chartered Accountants in Australia or the National Institute of Accountants (and entitled to use the letters CPA or FCPA; CA or FCA; or MNIA, FNIA, PNA or FPNA respectively).

An Auditor cannot be a member of the Management Committee; an employee of the Club; a business partner, employee or employer of a Management Committee member; or a spouse or dependent of any of the above.

### **3.3. FUNCTIONS OF BNJCA DELEGATE MEMBERS**

BNJCA Delegate Members shall represent the Club at all General Meetings of BNJCA and other BNJCA affiliate activities.

The Management Committee shall provide direction to the BNJCA Delegate Members in relation to the Club position on voting and other matters prior to BNJCA General Meetings and other activities. This direction shall be adhered to by the BNJCA Delegate Members.

BNJCA Delegate Members shall provide timely reports to the Management Committee on all meeting outcomes and other affiliate activities.

### **3.4. APPOINTMENT OR ELECTION OF SECRETARY**

The Secretary shall be elected in the same manner as other Management Committee members.

### **3.5. MEMBERSHIP OF MANAGEMENT COMMITTEE**

Queensland Office of Fair Trading requires that the Management Committee has at least three (3) members, one of whom is the President and another of whom is the Treasurer.

The Management Committee shall comprise: President, Vice President, Secretary, Treasurer and four (4) other members.

All Management Committee members shall be 18 years of age or older.

Provided core functions remain unchanged, alternative position titles may be adopted for the Secretary and Treasurer roles for operating purposes.

Each member of the Management Committee shall be responsible for a specific area of Club operations and activities and shall report to the Management Committee on their allocated area of responsibility as and when required; allocation of such areas of responsibility, and appropriate position titles, shall be at the discretion of the Management Committee.

### **3.6. FUNCTIONS OF PRESIDENT AND VICE PRESIDENT**

The President shall:

- Chair all General Meetings of members of the Club and Management Committee; and exercise an additional casting vote, if required, at General Meetings where voting on a motion or resolution is equal (Rule 38 of the Constitution)
- Be the public spokesperson for the Club, reflecting the view of the Management Committee
- Be an ex officio member of all Sub Committees
- Undertake all such other duties and functions authorised or delegated from time to time by the members or the Management Committee

The Vice President shall:

- Assist or deputise for the Chairman in all or any of the functions of the Chairman whenever the Chairman is unable to do so, or when invited by the Chairman
- Undertake all such other duties and functions authorised or delegated from time to time by the members or the Management Committee

### **3.7. FUNCTIONS OF TREASURER**

As well as having responsibility for all matters covered in Rules 45 and 46 of the Constitution, the Treasurer shall also:

- Arrange for all required documentation to be provided to the appointed Auditor, and manage all dealings with the Auditor
- Prepare a financial report to accompany the audited financial statements for presentation at the annual general meeting

- Coordinate and be involved in preparation and monitoring of Club financial budgets, both operating and capital expenditure
- Maintain the Club asset register
- Coordinate and be involved in preparation of all applications for financial grant or loan assistance

### **3.8. FUNDS AND ACCOUNTS (CONSTITUTION RULE 45)**

In the case of electronic transfer, any two (2) Club authorised bank signatories are able to initiate the payment process and approve the payment.

The President, Secretary, Treasurer and one other Management Committee person, as determined by the Management Committee from time to time, are authorised as bank signatories and are able to sign cheques and perform electronic transfers of funds on behalf of the Club.

The Secretary must maintain a record of authorised bank signatories.

Authorised bank signatories are required to keep secure all passwords and access information relating to the Association accounts.

### **3.9. SUB COMMITTEES (CONSTITUTION RULE 27)**

The Management Committee may appoint standing Sub Committees to provide ongoing support to members of the Management Committee in the discharge of their duties in relation to allocated areas of responsibility; refer By Law 3.5.

Refer also Special Condition under ordinary member class in By Law 2.1.

## **4. GENERAL MEETINGS**

### **4.1. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETINGS (CONSTITUTION RULES 32, 33 AND 34)**

The Club is a Level 1 incorporated association in terms of Queensland Office Of Fair Trading guidelines, so Rules 33 and 34 of the Constitution will not apply.

In addition to the business listed in Rule 32, other Office Bearers shall be elected at the Annual General Meeting.

### **4.2. VOTING AT GENERAL MEETINGS**

The Queensland Office of Fair Trading requires that the following matters be decided by Special Resolution:

- Any proposal to amalgamate with one or more other incorporated associations to form a new incorporated association (By Law 1.1)
- A change of name for the Club (By Law 1.4)
- A change to Club Constitution Rules (Rule 43 of Constitution)
- A decision to wind up the Club (Rule 49 of Constitution; and Act)
- A Special Resolution is a resolution that is passed at any General Meeting of the Club by 75% of the members present and entitled to vote
- Postal voting is not allowed for Special Resolutions

## **5. CRICKET AND CLUB OPERATIONS**

### **5.1. CLUB COACH APPOINTMENTS**

All Club Coach appointments shall be made by the Management Committee at a time of its determination.

Such appointments shall be reviewed at the discretion of the Management Committee, but at least annually.

If not already members of the Club, all Club Coach appointees shall be deemed an Ordinary Member as per By Law 2.1.

The Club Coach shall provide reports to the Management Committee as and when requested by that Committee.

### **5.2. TEAM COACHES AND MANAGERS**

The Management Committee shall endeavour to ensure Coaches and Managers are allocated for all of the Club teams.

If not already a member of the Club, such Coaches and Managers shall be deemed an Ordinary Member as per By Law 2.1.

### **5.3. OTHER VOLUNTEERS**

The Management Committee shall make every endeavour to obtain sufficient (volunteer) member, member family and community support to sustain, maintain and improve Club operations and facilities.

### **5.4. MEMBER MISCONDUCT**

All members are required to adhere to the Codes of Conduct appended to these By Laws at Appendix 1.

Instances of serious misconduct involving all classes of members, where consideration of termination of membership may be warranted, shall be dealt with through Rule 10 of the Constitution.

Generally speaking, instances of member misconduct associated with the playing and viewing of official cricket matches will be dealt with through BNJCA rules and processes which the Club is obliged to comply with; refer By Law 1.5.

There are potential situations, however, where certain behaviours and/or conduct, considered injurious or prejudicial to the character or interests of the Club, warrant some form of internal disciplinary action by the Club, short of membership termination, irrespective of any penalty imposed by BNJCA.

For the avoidance of doubt, such potential situations could include but are not limited to:

- Breaches of the Codes of Conduct (appended at Appendix 1).
- On field misconduct
- Off field misconduct
- Breach of any obligations, legal or otherwise, in respect of the conditions for use of ovals or grounds for which Club activities are allocated

Should any such situations arise, the Management Committee shall have the power to deal with them in such manner as it deems fit, and impose penalties but not including termination of membership.



## A. Code of Conduct – WNJCC Committee Members

### Purpose

The purpose of this code is to set out the standards of behaviour expected of members of the Management Committee of the Wilston Norths Junior Cricket Club (**WNJCC**) and any standing sub-committee appointed by the Management Committee (pursuant to clause 3.9 of the By-Laws and Rule 27 of the Constitution) (**Committee Member**).

Sub-committees subject to this code include but are not limited to:

- Member Protection sub-committee;
- Girls Cricket sub-committee;
- Friday night cricket (Master and Junior Blasters) sub-committee; and
- Clothing and Equipment sub-committee.

In agreeing to be a Committee Member, the member agrees to adhere to this code at all times.

### Standards of conduct

A Committee Member must:

1. act in good faith, with due diligence, and in best interests of WNJCC as a whole;
2. treat all people associated with WNJCC, including all members of WNJCC, volunteers, officials, stakeholders, and other Committee Members with respect and courtesy;
3. make decisions based on what is best for the Club, not for individual interest or gain;
4. not take advantage of their position on the Committee in any way;
5. always look for opportunities for improved performance of WNJCC operations and Committee functions;
6. be open to feedback from members and respond appropriately;
7. act as a positive role model with respect to good sporting behaviour
8. always consider the welfare of the WNJCC's members above on-field success;
9. always represent the Club in a professional manner
10. adhere to the policies and procedures established by WNJCC from time to time and to the legislative requirements of the Club.

## **B. Code of Conduct – WNJCC Coaches and Managers**

### **Purpose**

The purpose of this code is to set out the standards of behaviour expected of Coaches and Managers appointed by the Club (per By-Laws 5.1 and 5.2).

In agreeing to be a Coach or Manager of the Club, the member agrees to adhere to this code at all times.

### **Standards of conduct**

A WNJCC Coach or Manager must:

1. remember that young people participate in sport for pleasure and winning is only part of the fun
2. always encourage players to embrace their mistakes and enjoy the opportunity to learn from them
3. never yell at, ridicule or abuse them for their mistakes
4. encourage the philosophy of No-Fear, dynamic cricket to be played with enjoyment, skill and integrity. We coach the same way
5. be reasonable in your demands on players' time, energy and enthusiasm
6. encourage your players to celebrate the good performances of their team-mates and opponents
7. coach within the rules and spirit of the game. Encourage your players to do the same
8. ensure that the time your players spend with you is a positive experience. All players are deserving of equal time and opportunity
9. avoid overplaying the more talented players to the detriment of other players' enjoyment
10. ensure that equipment and facilities meet safety standards and are appropriate to the players age and abilities
11. display control, respect and professionalism to all involved. This includes players, opponents, coaches, officials, administrators, the media, parents and spectators. Encourage your players to do the same
12. show concern and caution toward injured and sick players. Follow the advice of a physician when determining whether an injured player is ready to recommence training or competition
13. obtain appropriate qualifications and keep up to date with the latest coaching practices and the principles of growth and development of young players
14. ensure any physical contact with a young person is appropriate to the situation and necessary for the player's skill development
15. respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion

## **C. Code of Conduct – WNJCC Players**

### **Purpose**

The purpose of this code is to set out the standards of behaviour expected of playing members of the Club.

Playing members of the Club are to adhere to this code at all times.

### **Standards of conduct**

A WNJCC player must:

1. play by the rules;
2. never argue with an umpire. If you disagree, have your captain, coach or manager approach the umpire in an appropriate manner during a break or after the game;
3. control your temper. Verbal abuse of officials and sledging other players, deliberately distracting or provoking an opponent are not acceptable or permitted behaviours in cricket;
4. work equally hard for yourself and your teammates. Your team's performance will benefit and so will you;
5. be a good sport. Applaud all good plays whether they are made by your team or the opposition;
6. treat all participants in cricket as you like to be treated. Do not bully or take unfair advantage of another competitor;
7. cooperate with your coach, teammates and opponents. Without them there would be no competition;
8. participate for your own enjoyment and benefit, not just to please parents, teachers or coaches;
9. respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion

## **D. Code of Conduct – WNJCC Parents/Guardians/Supporters**

### **Purpose**

The purpose of this code is to set out the standards of behaviour expected of parents, guardians, or supporters of playing members of the Club.

### **Standards of conduct**

Parents, guardians, or supporters of playing members of the Club are to adhere to this code at all times.

1. Do not force an unwilling child to participate in cricket;
2. Remember, children are involved in cricket for their enjoyment, not yours;
3. Encourage your child to play by the rules;
4. Focus on the child's efforts and performance rather than winning or losing;
5. Never ridicule or yell at a child for making a mistake or losing a game;
6. Remember that children learn best by example. Appreciate good performances and skillful play by all participants;
7. Support all efforts to remove verbal and physical abuse from sporting activities;
8. Respect officials' decisions and teach children to do likewise;
9. Show appreciation for volunteer coaches, officials and administrators. Without them, your child could not participate;
10. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

**END OF DOCUMENT**