



Since 1858

UTS North Sydney District Cricket Club
PO Box 1722 Crows Nest
New South Wales 1585
Australia

2023 Proposed Constitutional Updates

Explanatory Note – Version 2 (August 2023)

Preliminary Commentary

The constitution of the North Sydney District Cricket Club contains multiple references and clauses not reflective of the club's current situation, nor the realities of modern administration. As such, it was determined that a larger review of the constitution was required including:

1. Updates reflecting the presence of the club's women's programs,
2. Modernisation of references to process that can now be conducted online,
3. Updates reflecting the current By-laws of the New South Wales Cricket Association, and
4. General minor updates to ensure consistent language and punctuation is used throughout the document.

The constitution and the By-Laws of the NSW Cricket Association require constitutional amendments to be ratified by the Cricket NSW Board before being formally adopted. Upon review, Cricket NSW suggested further minor changes which have been separately tracked and are summarised in the final section of this document.

General Changes

There are a number of minor grammatical, capitalisation and punctuation changes to ensure consistent reading throughout the document. This includes the removal of undefined terms and the replacement of gender-specific terms with terms that encompass all genders. These are tracked throughout the document.

In addition, the document has been re-formatted (not tracked) to use consistent formatting throughout and enable easier navigation through use of heading styles and cross-references.

Section 3 - Interpretation

1. The term “Member” is defined.
2. “Incapacitated” is defined in order to make later amendments. These later amendments removed specific references to mental illness and bring the wording in line with that used in the NSW Office of Sport’s model constitution for clubs.

Section 4 – Club Colours and Playing Dress

The clause on playing apparel is amended to allow for greater flexibility in designing uniforms, particularly those for use in exclusively limited overs’ competitions, and to require approval from the New South Wales Cricket Association where applicable (noting that submission of playing uniforms for approval forms part of the current arrangement).

Section 5 - Membership

The clause prescribing the form of membership application is amended to allow for online membership systems.

Section 8 – Management by Committee

Clause (I) is amended to refer to “the Grading Committee” to “a Grading Committee”, reflecting the amendments to clauses 13 and 26 to introduce separate men’s and women’s grading committees.

Section 9 – Delegates to the Sydney Cricket Association

This clause is amended to remove the reference to a specific number of delegates (as it is no longer 2) and to allow flexibility in the future should the association’s requirements change.

Section 10 – Meetings of the Management Committee



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The clause permitting the committee to invite members of specific clubs (one of which is defunct and the other has no relevance to current operations) is amended to allow the committee to invite any external delegate, albeit that delegate will have no voting powers.

Section 11 – Management Committee – Vacation of Office

References to incapacity are amended to remove specific references to mental illness and bring the wording in line with that used in the NSW Office of Sport’s model constitution.

Section 12 – General Meeting

The term “financial members” (which is not defined) is replaced with Member (as defined, to include all categories of membership) for the purpose of determining whether a General Meeting is quorate.

The clause on voting at General Meetings is amended to allow for online voting as well as in-person voting by a show of hands. An additional clause to ensure transparency of voting is included.

Section 13 – Annual General Meeting

A clause including the election of the Sydney Cricket Association delegates is added.

The clause relating to the election of grading committees is amended to ensure it covers both men’s and women’s selection committees. To date, it only references a single grading committee. The wording is such that the process for both committees are identical.

Duplication with Section 26 (Selection of Teams) is removed.

The clause relating to the execution of New South Wales Cricket Association By-laws has been updated in line with guidance from that association and its current By-laws¹. In particular, it is the New South Wales Cricket Association not the Sydney Cricket Association which has By-laws.

Section 17 – Funds

The reference to mental illness is removed.

¹ <https://www.cricketnsw.com.au/governance/-/media/48E5DF5292B849B3BF06B512CD4D4F9E.ashx>



Section 19 – Funds

The clause on outgoing payments is updated to reflect the use of electronic banking.

Section 23 – Funds

The clause on ratification of minutes is updated to remove the need for a physical signature from the chairperson of the meeting.

Section 26 – Selection of Teams

Multiple clauses are amended to reflect the presence of two grading committees, one for the men's program and one for the women's.

The make-up of the selection committee for each grade is revised to include the coach rather than the captain if the team contains mostly under-18 players (intended to cover Brewer Shield and Green Shield under the current competition structure).

Section 27 – Compliance with New South Wales Cricket Association Obligation of Affiliates

This clause is amended to provide a more general concept of complying with the club's governing body's rules and requirements.

Section 29 – Duties of Honorary Secretary and Assistant Honorary Secretary

Reference to a Minute Book is updated to written minutes, recognising that these are likely to be stored electronically rather than in a physical book.

Section 30 – Duties of Honorary Treasurer and Assistant Honorary Treasurer

The terms financial and unfinancial member have not previously been defined. The clause referencing "unfinancial members" is amended to define the intended object of the clause.

The requirement to keep accounts in a book is updated to require an appropriate electronic form.



Additional changes requested by Cricket NSW

Section 2 – Objects is revised to change “games of cricket” to “cricket matches”, to differentiate between the game of cricket and individual matches.

Section 3 – Interpretation is amended to revise the definition of “The Commission” to reflect that NSW Fair Trading was not constituted by the Associations Incorporation Act and there is no reference to this in the model constitution under the Act.

Section 12 – Two typographical errors are corrected.

Section 13 – Annual General Meeting is amended to remove the need to carry out requirements of the NSW Cricket Association By-Laws which do not need to be conducted at an AGM and replace with a requirement to receive and consider relevant financial statements or reports.



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