



SORRENTO DUNCRAIG  
**VIKINGS**  
CRICKET CLUB | EST 1999

**CHAMPION CLUB**  
00/01, 04/05, 05/06,  
06/07, 08/09, 09/10,  
10/11, 11/12

## **SORRENTO DUNCRAIG CRICKET CLUB INC.** **CONSTITUTION**

**AMENDED 2025**

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# **Constitution of the Sorrento Duncraig Senior Cricket Club (Inc.)**

## **1.0 Name of Association**

- 1.1 The name of the Association is the Sorrento Duncraig Senior Cricket Club (Inc.).

## **2.0 Definitions**

- 2.1 In these rules, unless the contrary intention appears-

"annual general meeting" is the meeting convened under paragraph (b) of rule 16 (1);

"By-Laws" means any policies or guidelines, agreed upon by the Committee, to assist in the objectives of the Association and to abide by any legal requirements imposed on the Association;

"Committee meeting" means meeting referred to in rule 15 (1);

"Committee member" means person referred to in paragraph (a), (b), (c), (d) or (e) of rule 10 (1);

"convene" means to call together for a formal meeting;

"department" means the government department with responsibility for administering the *Associations Incorporation Act (2015)*;

"financial year" has the meaning given by section 3 (1) of the Act, a reference in that section to-

- (a) "an incorporated association" or "the association" being construed as a reference to the Association; and

- (b) "the committee" being construed as a reference to the Committee;

"general meeting" means meeting convened under rule 16 to which all members are invited; "member" means member of the Association;

"ordinary resolution" means resolution other than a special resolution;

"special resolution" has the meaning given by section 24 of the Act;

"temporary member" means a person who is on any day visiting the club as a member or an official of another club that is to engage in a pre-arranged event with the host club conducted for the purposes of one of the host clubs principal objects;

"the Act" means the *Associations Incorporation Act 2015*;

"the Association" means the Association referred to in rule 1;

"the President " means-

- (a) in relation to the proceedings at a Committee meeting or general meeting, the person presiding at the Committee meeting or general meeting in accordance with rule 11; or

- (b) otherwise than in relation to the proceedings referred to in paragraph (a), the person referred to in rule 10 (1) (a) or, if that person is unable to perform his or her functions, the Vice President;

"the Committee" means the Committee of Management of the Association referred to in rule 10 (1);

"the Secretary" means the Secretary referred to in rule 10 (1) (c);

"the Treasurer" means the Treasurer referred to in rule 10 (1) (d);

"the Vice President " means the Vice President referred to in rule 10 (1) (b).

## **3.0 Objects of Association**

- 3.1 The objects of the Association are-

- 3.1.1 to be a community focused Club that encourages, promotes and fosters the game of Cricket in Perth's Northern Suburbs for its members.
- 3.1.2 to associate, cooperate or affiliate with anybody organising or promoting Cricket (including Western Australia Cricket Association and North Suburban Community Cricket Association as they exist from time to time) and, if appropriate, to discontinue or renew such affiliations.
- 3.1.3 to provide an environment in which players of either gender and of any cricketing ability feel welcome to participate in all activities of the Club.
- 3.1.4 to encourage all players representing the Club to conduct themselves with integrity and good sportsmanship in a manner which honours the "spirit of the game"
- 3.2 The property and income of the Association shall be applied solely towards the promotion of the objects of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.
- 3.3 The Association shall be empowered to do all things necessary which are incidental to and necessary for the attainment of the objects of the Association.

## 4.0 Club Colours

- 4.1 The colours of the Association shall be Yellow and Blue

## 5.0 Powers of Association

- 5.1 The powers conferred on the Association are the same as those conferred by section 13 of the Act, so that subject to the Act and any additions, exclusions or modifications inserted below, the Association may do all things necessary or convenient for carrying out its objects and purposes, and in particular, may:
  - 5.1.1 acquire, hold, deal with, and dispose of any real personal property;
  - 5.1.2 open and operate bank accounts;
  - 5.1.3 invest its money:
    - 5.1.3.1 In any security in which trust monies may lawfully be invested; or
    - 5.1.3.2 In any other manner authorised by the rules of the Association;
  - 5.1.4 borrow money upon such terms and conditions as the Association thinks fit;
  - 5.1.5 give such security for the discharge of liabilities incurred by the Association as the Association thinks fits;
  - 5.1.6 appoint agents and employees to transact any business of the Association on its behalf;
  - 5.1.7 accept gifts and donations in accordance with the objects of the Association;
  - 5.1.8 print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the Association;
  - 5.1.9 provide gifts and prizes in accordance with the objects of the Association;
  - 5.1.10 enter into any other contract it considers necessary or desirable;
  - 5.1.11 may act as trustee and accept and hold real and personal property upon trust, but does not have power to do any act or thing as a trustee that, if done otherwise than as a trustee, would contravene the Act or the rules of the Association.

## 6.0 Register of members of Association

6.1 The Secretary shall on behalf of the Association keep and maintain the register of members in accordance with section 27 of the Act and that register shall be continually available for inspection at the club premises.

6.2 The Secretary shall cause the name of a person who dies or who ceases to be a member under rule 8 (1) or 9 to be deleted from the register of members referred to in subrule (1).

## 7.0 Subscription of members of the Association

7.1 Membership of the Association shall be conditional on the payment in full of an annual subscription determined by the Cricket Committee from time to time, on or before 1 July or such other date as determined by the Cricket Committee.

7.2 Subject to rule 9.3, a member whose subscription is not paid in full to the Treasurer within three (3) months after the relevant date determined by the Executive Committee, ceases to be a member unless the Cricket Committee decides otherwise.

7.3 A person exercises all the rights and obligations of a member for the purposes of these rules if his or her subscription is paid on or before the relevant date determined by the Cricket Committee or within three (3) months thereafter, or such other time as the Cricket Committee allows.

7.4 Membership shall be for a period from the date of payment of the subscription until the end of the season to which that subscription applies.

7.5 The match fee shall be decided by the Cricket Committee prior to the commencement of every cricket season and is required to be paid on every match day for which the member participates in.

## 8.0 Termination of membership of Association

8.1 Membership of the Association may be terminated upon-

8.1.1 receipt by the Secretary or another Committee member a notice in writing from a member of his or her resignation from the Association. Such person remains liable to pay to the Association the amount of any subscription due and payable by that person to the Association but unpaid at the date of termination; or

- 8.1.2 non-payment by a member of his or her subscription within three months of the date fixed by the Committee for subscriptions to be paid, unless the Committee decides otherwise in accordance with rule 7(3); or
- 8.1.3 expulsion of a member in accordance with rule 9.

## 9.0 Suspension or expulsion of members of Association

9.1 If the Committee considers that a member should be suspended or expelled from membership of the Association because of his or her conduct is detrimental to the interests of the Association, the Committee shall communicate, either orally or in writing, to the member-

- 9.1.1 notice of the proposed expulsion and of the time, date and place of the Committee meeting at which the question of that suspension or expulsion will be decided; and
- 9.1.2 particulars of that conduct,

not less than 30 days before that date of the Committee meeting referred to in paragraph (a).

9.2 At the Committee meeting referred to in a notice communicated under sub-rule (1), the Committee may, having afforded the member concerned a reasonable opportunity to be heard by, or to make representations in writing to, the Committee, suspend or expel or decline to suspend or expel that member from membership of the Association and must, forthwith after deciding whether or not to suspend or expel that member, communicate that decision in writing to that member.

9.3 Subject to sub-rule (5), a member has his or her membership suspended or ceases to be a member 14 days after the day on which the decision to suspend or expel a member is communicated to him or her under sub-rule (2).

10.0 A member who is suspended or expelled under sub-rule (2) must, if he or she wishes to appeal that suspension or expulsion, give notice to the Secretary of his or her intension to do so within the period of 14 days referred to in sub-rule (3).

10.1 When notice is given under subrule (4)-  
the Association in a general meeting, must either confirm or set aside the decision of the Committee to suspend or expel the member, after having afforded the member who gave that notice a reasonable opportunity to be heard by, or to make representations in writing to, the Association in the general meeting; and

10.2 the member who gave notice is not suspended or does not cease

to be a member unless and until the decision of the Committee to suspend or expel him or her is confirmed under this sub-rule.

## 11.0 Committee of Management

11.1 Management of the Association will be vested in the elected Cricket Committee of the association."

- (a) a President;
- (b) a Vice President;
- (c) a Junior Vice President;
- (d) a Secretary;
- (e) a Treasurer/Sponsorship and/or Fundraising Co-Ordinator;
- (f) Registrar;
- (g) Property Manager; and
- (h) A minimum of at least four (4) elected general committee members

11.2 No person shall hold more than one position on the Cricket Committee at any one time. A person shall cease to be a member of the Cricket Committee at the conclusion of the Annual General Meeting which follows his or her election and he will be eligible for re-election.

11.3 A quorum of the Cricket Committee shall be 75% of the total of the cricket committee members.

11.4 If the President or Vice President is unable to attend, then a chairperson nominated by the meeting shall chair that meeting.

11.5 A member of the Cricket Committee shall lose his or her seat on the Cricket Committee if they are absent from three (3) or more meetings without a leave of absence.

11.6 Any decision taken by the Cricket Committee shall be final subject only to an appeal to the members at a Special General Meeting called for the purpose of considering such an appeal.

11.7 A person who is eligible for election or re-election to the Cricket Committee at an Annual General Meeting may:

- 11.7.1 Propose or second himself or herself for election or re-election; and
- 11.7.2 Vote for himself or herself;

11.8 At Cricket Committee meetings the President, or should he or she be absent the Vice President, shall have, in addition to his or her deliberate vote, a casting vote in the event of an equal decision.

11.9 Cricket Committee meetings shall be held on a regular basis as determined by the President to be necessary, but not more than one month shall elapse between meetings.

11.10 A member of the Cricket Committee may request a special committee meeting should a matter of urgency arise.

## 12.0 Duties of Cricket Committee

### 12.1 PRESIDENT

The President shall preside at all committee and general meetings and see that the business is conducted in a proper manner. The President may call either a general or Cricket Committee meeting in all cases of emergency, and shall ensure that the well being and objects of the Association are maintained.

### 12.2 VICE PRESIDENT

The Vice President shall assist the President in the execution of his or her duties and shall chair any meeting in the absence of the President.

### 12.3 SECRETARY

The Secretary shall:

- 12.3.1 coordinate the correspondence of the Association;
- 12.3.2 keep full and correct minutes of the proceedings of the Cricket Committee and of the Association;
- 12.3.3 keep and maintain a record of the names and residential or postal addresses of members of the Cricket Committee and any person or persons who are appointed as trustees to act on behalf of the Association;
- 12.3.4 keep and maintain the register of members;
- 12.3.5 have custody of all books, documents, records and registers of the Association including those referred to in sub-clauses above, other than those required to be kept and maintained by, or in the custody of, the Treasurer;
- 12.3.6 perform such other duties as are imposed by these rules on the Secretary.

### 12.4 TREASURER

The Treasurer shall:

- 12.4.1 keep a correct account of all monies received by the Association and shall issue or cause to be issued receipts in the name of the Association;
- 12.4.2 pay all monies referred to in 13.4 (a) into the Association's accounts at such bank or recognised financial institution as may be approved by the Cricket Committee;
- 12.4.3 make payments, by cheque, from the funds of the Association for accounts which have been passed for payment by the Cricket Committee and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next



Cricket Committee Meeting;

- 12.4.4 issue a petty cash float of such value as determined by the Cricket Committee to a subcommittee or to a member of the Cricket Committee for the purposes of achieving the objectives of the Association and ensure a record of all expenditure is kept in a petty cash book;
- 12.4.5 shall keep and maintain the accounting records of the Association so as to reflect the income and expenditure of the Association;
- 12.4.6 prepare a financial report and present this to a committee meeting when required;
- 12.4.7 have custody of all books, securities, and documents of a financial nature other than those which may be kept by the Registrar/Assistant Treasurer for the purposes of assisting the Treasurer to perform his or her duties;
- 12.4.8 shall prepare a financial report incorporating income and expenditure and a balance sheet and present this to the Annual General Meeting;
- 12.4.9 commission an Auditor/CPA Accountant report of the accounts prior to 15 September for the previous seasons accounts; invest a proportion of the Association's funds, with the Cricket Committee's consent, in an investment term account;
- 12.4.10 shall perform other duties as may be required from time to time.

## 12.5 REGISTRAR/ASSISTANT TREASURER

The Registrar/Assistant Treasurer shall:

- 12.5.1 collect all subscription and match fees from the members and team captains and shall issue receipts in the name of the Association for such fees;
- 12.5.2 prepare a consolidated weekly report for the treasurer of all monies received and expenses incurred;
- 12.5.3 be delegated authority to act on behalf of the Association for the purchase of or repair to equipment of the Association;
- 12.5.4 keep a record of all persons playing for the Association and prepare a list for all team captains;
- 12.5.5 keep an up to date list of all persons registered with the Association and provide such lists to the Secretary for his or her records.

## 12.6 PROPERTY MANAGER

The Property Manager shall:

- 12.6.1 be responsible for ensuring each team has adequate equipment during the season.
- 12.6.2 organise the distribution of equipment to Captains before the season commences.
- 12.6.3 ensure the equipment bags and first aid kits are kept full stocked.
- 12.6.4 Order in consultation with the President, Treasurer and Secretary additional equipment for the teams.
- 12.6.5 Maintain an inventory management system and undertake a stocktake at season end each year.
- 12.6.6 Attend monthly committee meetings on a regular basis and provide a inventory holding report for the committee

## 13.0 Casual vacancies in membership of Committee

13.1 A casual vacancy occurs in the office of a Committee member and that office becomes vacant if the Committee member-

- 13.1.1 dies;
- 13.1.2 resigns by notice in writing delivered to the President or, if the Committee member is the President, to the Vice President;
- 13.1.3 is convicted of an offence under the Act;
- 13.1.4 is permanently incapacitated by mental or physical ill-health;
- 13.1.5 is absent from more than-
- 13.1.6 3 consecutive Committee meetings; or
  - 13.1.6.1 3 Committee meetings in the same financial year without tendering an apology to the person presiding at each of those Committee meetings; of which meetings the member received notice, and the Committee has resolved to declare the office vacant;
- 13.1.7 ceases to be a member of the Association;
- 13.1.8 is the subject of a resolution passed by a general meeting of members terminating his or her appointment as a Committee member.

## 14.0 Auditor

14.1 The Annual General Meeting can choose to elect or appoint an Auditor or CPA Accountant.

14.2 The Auditor/s shall examine and review all the books and accounts of the Association annually, and have the power to call for all books, papers, accounts, receipts etc., of the Association and report there on to the Annual General Meeting.

## 15.0 Meetings

### 15.1 ANNUAL GENERAL MEETING

15.1.1 The Annual General Meeting of the Association must be held within four months of the end of the club's financial year

15.1.2 The Secretary shall give at least fourteen (14) days notice of the date of the Annual General Meeting at this time any Cricket Committee position (apart from general) are required to nominate their intention to run for that position. No nominations (apart from general ) will be accepted on the day. Nominations must be received 5 business days prior to the date of the AGM.

15.1.3 All current financial members, life members, hall of fame members and social members including proxies and those attending electronically may attend the Annual General Meeting and be entitled to vote on all matters arising that require a vote.

15.1.4 The quorum at the Annual General Meeting shall be a minimum of twenty (20) financial members. If, at the end of thirty (30) minutes after the time appointed in the notice for the opening of the Annual General Meeting, there be no quorum the meeting shall stand adjourned for one week. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

15.1.5 The agenda for an Annual General Meeting shall be:

- a. Opening of meeting Apologies
- b. Confirmation of minutes of previous Annual General Meeting  
Presentation of President's report
- c. Presentation of Treasurer's report
- d. Election of new Cricket Committee and appointment of Auditor/s  
Vote of thanks to outgoing Cricket Committee
- e. Notice/s of motion
- f. Urgent general business Closure

## 16.0 Special General Meeting

16.1.1 A Special General Meeting may be called by the Cricket Committee or at the request of the President and Secretary or on the written request of fifteen (15) financial members of the Association.

16.1.2 The Secretary shall give at least seven (7) day notice, in writing, of the date of the Special General Meeting to the members. Notice of Special General Meetings shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that Special General meeting.

16.1.3 The quorum at the Special General Meeting shall be a minimum of twenty (20) financial members. Each member shall be entitled to one deliberate vote.

## 17.0 Cricket Committee Meeting

17.1.1 The agenda for an Cricket Committee Meeting shall be:

- a. Opening of Meeting
- b. Apologies
- c. Confirmation of minutes of previous Cricket Committee Meeting  
Business arising from previous Cricket Committee Meeting
- d. Presentation of President's report
- e. Presentation of Treasurer's report
- f. Presentation of outstanding accounts

- g. Presentation of reports from delegates, coaches, bar, etc. New business
- h. Closure

## 18.0 Voting

18.1 Unless otherwise specified elsewhere in these rules, all elections or appointments of Cricket Committee members at any general meeting shall be by means of a secret ballot, with the resulting majority opinion being the successful one. In the event of an equal decision the President shall be entitled to a casting vote.

18.2 If in the Presidents opinion the matter requiring vote, with the exception of the aforementioned elections, is not of a confidential nature, voting at general meetings shall be by a show of hands. In the event of an equal decision the President shall be entitled to a casting vote.

### 18.3 Proxies

18.3.1 A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting other than at a disciplinary appeal meeting.

18.3.2 The appointment of a proxy must be in writing and signed by the member making the appointment.

18.3.3 The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.

18.3.4 If the Committee has approved a form for the appointment of a proxy, the member may not use any other form that clearly identifies the person appointed as the member's proxy and that has been signed by the member.

18.3.5 Notice of a general meeting given to a member under rule 35 must:

18.3.6 State that the member may appoint another member as a proxy for the meeting; and

18.3.6 Include a copy of any form that the Committee has approved for the appointment of a proxy.

18.3.7 A form appointing a proxy must be given to the Chairperson of the meeting before or at the commencement of the meeting.

18.3.8 A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association no later than 48 hours before the commencement of the meeting.

## 19.0 USE OF TECHNOLOGY

19.1 A member not physically present at a general meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.

19.2 For the purposes of this Part, a member participating in a general meeting as permitted under subrule (17.4.1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

## 20.0 Minutes of Meetings of Association

20.1 The Secretary must cause proper minutes of all general and Cricket Committee meetings to be taken and then to be entered within thirty (30) days after the holding of such meeting in a minute book kept for that purpose.

20.2 The President shall ensure that the minutes taken of a general or Cricket Committee meeting under rule 18.1 are checked and signed as correct by the chairperson of general or Cricket Committee meeting to which those minutes relate.

20.3 When minutes have been entered and signed as correct under this rule, they shall, until the contrary is proved, be evidence that:

20.3.1 the general or Cricket Committee meeting to which they relate was duly convened and held;

20.3.2 all proceedings recorded as having taken place at the general or Cricket Committee meeting did in fact take place thereat; and

20.3.3 all appointments or elections purporting to have taken place at the general or Cricket Committee meeting have been validly made.

## 21.0 ALTERATION OF THE CONSTITUTION AND BY-LAWS

21.1 No alteration, repeal or addition shall be made to the Constitution except at a Special General Meeting called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members seven (7) days prior the Special General Meeting.

21.2 The Secretary shall forward such notices of motion to each Cricket Committee member at least seven (7) days prior to the Special General Meeting.

21.3 Alterations to the By-laws can be made only at Cricket Committee Meetings provided notice of the proposed alteration/s has been duly notified to Cricket Committee members.

21.4 Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority (Special Resolution) of those present and entitled to a vote at the Special General Meeting or Cricket Committee Meeting.

21.5 Within one month of the passing of a special resolution, the Secretary shall notify the Department of Mines, Industry Regulation and Safety- Consumer Protection Division (Consumer Protection) of the amendment.

## 22.0 Common seal of Association

22.1 The Association shall have a common seal on which its corporate name shall appear in legible characters.

22.2 The common seal of the Association shall not be used without the express authority of the Committee and every use of that common seal shall be recorded in the minute book referred to in rule 18.

22.3 The affixing of the common seal of the Association shall be witnessed by any 2 of the President, the Secretary and the Treasurer.

22.4 The common seal of the Association shall be kept in the custody of the Secretary or of such other person as the Committee from time to time decides.

## 23.0 Inspection of records, etc. of Association

23.1 A member may at any reasonable time inspect without charge the books, documents, records and securities of the Association.

## 24.0 Dissolution

24.1 If, on the winding up of the Association, any property of the Association remains after satisfaction of the debts and liabilities of the Association and the costs, charges and expense of that winding up, that property shall be distributed:

24.1.1 to another incorporated association having objects similar to those of the Association; or

24.1.2 for charitable purposes, which incorporated Association or purposes, as the case requires, shall be determined by resolution of the members.

## 25.0 Disputes and Mediation

25.1 The grievance procedure set out in this rule applies to disputes under these rules between:

25.1.1 a member and another member; or

25.1.2 a member and the Association; or

25.1.3 if the Association provides services to non-members, those non-members who receive services from the Association, and the Association.

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

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

25.4 The mediator must be:

25.4.1 a person chosen by agreement between the parties; or

25.4.2 in the absence of an agreement:

- a. in the case of a dispute between a member and another member, a person appointed by the Cricket Committee of the Association;
- b. in the case of a dispute between a member or relevant non-member (as defined in rule 21.1 (c)) and the Association, a person who is a mediator appointed to, or employed with, a not for profit organization.

25.5 A member of the Association can be a mediator.

25.6 The mediator cannot be a member who is a part to the dispute.

25.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

25.8 The mediator, in conducting the mediation, must:

25.8.1 give the parties to the mediation process every opportunity to be heard;

25.8.2 allow due consideration by all parties of any written statement submitted by any party; and

25.8.2 ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

25.9 The mediator must not determine the dispute.

25.10 The mediation must be confidential and without prejudice.

25.11 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

## 26.0 Indemnity

26.1 Every member, Cricket Committee member or employee of the Association shall be indemnified out of the funds of the Association for all costs, losses and expenses that they may properly incur or become liable for by reason of any contract entered into or act or thing done in the proper discharge of their duties.

26.2 No member, Cricket Committee member or employee of the Association shall be liable for the acts, neglects or defaults of any other member, Cricket Committee member or employee of the Association, or for the joining in any receipt or other act of conformity or for any loss or expense of the Association through the insufficiency or deficiency of title to any property acquired for on an account of the Association or for any loss or damage arising from the bankruptcy or tortuous act of any person with whom with whom any monies, securities or effects shall be deposited, or for any loss, damage or misfortune whatever which shall happen in the execution of his duties unless caused by that person's own wilful act or default.

**THIS COPY OF THE CONSTITUTION OF THE SORRENTO DUNCRAIG CRICKET CLUB INC. IS CERTIFIED AS A TRUE AND CORRECT COPY BY THE SIGNATURE OF THE PRESIDENT:**



**PIERCE ROLLO  
PRESIDENT**

**SORRENTO DUNCRAIG CRICKET CLUB INC.**