Constitution of the Christchurch Junior Cricket Association Incorporated

Under the Incorporated Societies Act 2022

As adopted on 2nd March 2026

Constitution of Christchurch Junior Cricket Association Incorporated

1. Introduction

1.1 Name

The name of the incorporated society shall be the Christchurch Junior Cricket Association Incorporated.

1.2 Registered Office

The registered office of the Christchurch Junior Cricket Association Incorporated shall be at such place as determined by the Board and as notified to the Registrar.

1.3 Status

The Christchurch Junior Cricket Association Incorporated is an incorporated society established under the Act.

1.4 Affiliation

Christchurch Junior Cricket Association is the governing body for the sport of Junior (School years 8 and below) cricket in the Christchurch region and is recognised by Canterbury Cricket, the governing body for the sport of cricket in Canterbury, of which the Christchurch Junior Cricket Association is a member.

1.5 Boundaries

Christchurch means the area bounded by the Waimakariri River in the North; from the Waimakariri River opposite School Road; along School Road, Miners Road and Kirk Road through Templeton; along Trents Road to Blakes Road; along Blakes Road to Springs Road (including Prebbleton township); from Halswell Junction Road to Halswell (including Halswell township); from Halswell along Kennedys Bush Road and Summit Road to the sea (excluding Governors Bay) and the coastline north to Waimakariri River;

2. Purposes

2.1 Purposes

The purposes of the Christchurch Junior Cricket Association are to:

(a) control, manage and be responsible for the guardianship, promotion and administration of Junior cricket in the Christchurch region;

(b) control, manage and be responsible for all the Christchurch Junior Cricket Association representative teams playing throughout New Zealand;

(c) foster, encourage and assist in the development of cricket played in the Christchurch region including at club and school level;

(d) establish and promulgate rules, playing conditions and regulations for the playing of cricket in the Christchurch region, and to be bound by the Laws of Cricket published from time to time by New Zealand Cricket, the International Cricket Council and/or the Marylebone Cricket Club;

(e) foster and encourage participation in and support for cricket by all players and supporters of the game at all levels in the Christchurch region;

(f) affiliate with and be bound by the rules of Canterbury Cricket;

(g) encourage and promote cricket as an activity which promotes the health and safety of all participants, including one which respects the principles of fair play and is free from performance-enhancing drugs; and

(h) generally do all things whatsoever for the benefit of cricket which may be deemed expedient or which may be directly or indirectly incidental or ancillary to the Purposes of Christchurch Junior Cricket Association **PROVIDED HOWEVER** that these Purposes shall in no way limit the rights and powers conferred upon societies incorporated under the Act.

2.2 Powers

The Christchurch Junior Cricket Association has, both within and outside New Zealand, the full capacity, rights, powers and privileges to carry on or undertake any activity, do any act or enter into any transaction.

2.3 Independent Construction

The Purposes are to be constructed independently and are not to be limited by reference to any other purposes recorded in this Constitution. Each of the Purposes are independent Purposes of Christchurch Junior Cricket Association.

2.4 Amateur Cricket

Christchurch Junior Cricket Association is incorporated for the purpose of governing and promoting amateur cricket for the recreation or entertainment of the general public of the Christchurch region. The capacity of Christchurch Junior Cricket Association to carry on any business or activity, do any act, or enter into any transaction, is restricted to any business, activity, act or transaction carried on, undertaken, done or entered into in accordance with, or in seeking to achieve, this purpose, or which is conducive or incidental to this purpose.

2.5 No Personal Benefit

The Officers and Members may not receive any distributions of profit or income from Christchurch Junior Cricket Association. This does not prevent Officers or Members:

(a) receiving reimbursement of actual and reasonable expenses incurred, or

(b) entering into any transactions with the organisation for goods or services supplied to or from them, which are at arms' length, relative to what would occur between unrelated parties, provided no Officer or Member is allowed to influence any such decision made by Christchurch Junior Cricket Association in respect of payments or transactions between it and them, their direct family or any associated entity.

(c) receiving an honorarium for duties performed for the Association, as defined at an Annual General Meeting for the following year, and passed by a 75% majority at that meeting. Any honorariums as determined at an Annual General Meeting, will only be paid upon completion of the duties they were determined for, and with Executive approval.

3. Membership

3.1 Members

The members of Christchurch Junior Cricket Association are:

(a) Club Members;

(b) Life Members;

(c) any other category of member determined by the Board,

(each a **Member** and together, **Members**).

3.2 Members

A Club Member shall be an incorporated organisation whose playing strength, financial stability, administration and playing grounds comply with standards set down by the Bylaws, or a Primary or Intermediate School from within our boundaries defined in clause 1.5, and has at least one team entered in a Christchurch Junior Cricket Association organised Saturday competition grade. This class of membership is entitled to one vote each per organisation;

3.3 Membership Applications

Applications for membership of the Christchurch Junior Cricket Association as a Member shall be made in writing to the Christchurch Junior Cricket Association. Consent to becoming a Member is given by submitting an application. Applicants shall supply such particulars as are requested by the General Manager (or their nominee). All conforming applications shall be submitted to the Executive Committee and the Executive committee may in its discretion accept or refuse any such application for membership.

Any merger of Members shall be treated as a new application for membership as a single Member. On Board approval of such application, the register of Members shall be updated to reflect the new Member and the pre-merger Members shall be removed.

3.4 Requirements of Members

All Members shall comply with:

(a) the directives and requirements of the Executive Committee insofar as those relate to the administration of cricket throughout the region of Christchurch; and

(b) this Constitution and the Bylaws, together with the Competition Rules, Playing Conditions and Regulations (if any) as laid down by the Christchurch Junior Cricket Association, New Zealand Cricket and/or the International Cricket Council and the Laws of Cricket as published from time to time by the Marylebone Cricket Club and/or the International Cricket Council.

In addition, each Member shall amend its constitution if it, or any clause within it, is inconsistent or in conflict with this Constitution or the Bylaws.

Upon request, all Members shall supply to Christchurch Junior Cricket Association a copy of their:

(c) constitution and any amendments made to it; and

(d) register of members.

To be, and to remain eligible to be a Member, a Member must:

(e) be an incorporated society registered under the Incorporated Societies Act 1908 until 4 April 2026 or the Act; or

(f) be another incorporated entity to which the Inland Revenue Department has granted a binding ruling to the effect that its income is exempt from taxation under section CW46 of the Income Tax Act 2007; and

(g) not be insolvent (as defined in the Act); and

(h) comply with (a) and (b) above.

3.5 Acknowledgements by Members

Members, including Life Members, acknowledge and agree that:

(a) they are bound by this Constitution;

(b) they shall comply with and observe this Constitution and any determination, resolution or policy which may be made or passed by the Board;

(c) they are subject to the jurisdiction of the Christchurch Junior Cricket Association;

(d) this Constitution is necessary and reasonable for promoting the Purposes;

(e) this Constitution is made in the pursuit of a common purpose, namely the mutual and collective benefit of the Christchurch Junior Cricket Association, its Members and cricket and they must not do anything to bring the Christchurch Junior Cricket Association into disrepute; and they are entitled to all the rights of membership as conferred by this Constitution, provided that they meet all member requirements set out in this Constitution and the Bylaws.

3.6 Cessation of Membership

Any Member shall cease to be a Member of the Christchurch Junior Cricket Association:

(a) by resignation by notice in writing to the General Manager, but shall remain liable to Christchurch Junior Cricket Association for all moneys owing and unpaid at the date of resignation; or

(b) by decision of the Executive Committee where it is satisfied after reasonable enquiry that the Member is unable to comply with clause 3.4(e) or (f); or

(c) if an individual on death, or if a body corporate on liquidation; or

(d) if their membership is terminated following a dispute resolution process or such other process set out or referred to in this Constitution.

Any Member who ceases to be a member of the Christchurch Junior Cricket Association following a decision of the Board under clause 3.6(b) may appeal the decision to the next Annual General Meeting.

If in advance of the Annual General Meeting the affected Member is unable to provide sufficient notice of its appeal to comply with the notification of requirements of clause 6.7, the Member may appeal the decision to a Special General Meeting requisitioned by it within sixty (60) Business Days of the Board's original decision. Failing this, the Member's right of appeal shall be exhausted.

The appeal shall be allowed if an Ordinary Resolution at the Annual General Meeting or the Special General Meeting is in favour of the appeal.

3.7 Register of Members

The Christchurch Junior Cricket Association must keep and maintain a register of all Members, including Life Members, which contains the names and Contact Details of the Members, and the dates when they became Members. The register of Members will be updated as soon as practicable after the Executive Committee becomes aware of changes of the information recorded in the register of Members. The Executive Committee will keep a record of those who have ceased to be a Member within the previous 7 years and the date on which they ceased to be a Member.

4. Life Membership

4.1 Life Membership

(a) The Board may recommend to a General Meeting any natural person, who has made an exceptional contribution to Junior cricket within the Christchurch region for election as a Life Member.

(b) Any Member may nominate to the Board any person for consideration as a Life Member.

(c) A nominee consents to becoming a Life Member upon acceptance of their life membership.

(d) The membership of a Life Member may be terminated by a decision of the Board approved by an Ordinary Resolution in a General Meeting, provided that the Life Member who is the subject of the motion must be afforded natural justice.

(e) The membership of a Life Member will cease on death.

(f) All Life Members shall comply with the Constitution and Bylaws of the Christchurch Junior Cricket Association.

4.2 Participation at General Meetings

Life Members may attend any General Meeting and take part in any discussion but shall not be entitled to move or second motions or to vote.

5. Honorary Membership

5.1 Honorary Membership

(a) The Christchurch Junior Cricket Association acknowledges that under previous constitutions, some members were recognised as Honorary Members.

(b) Those members that were bestowed that type of membership will continue to hold that membership, but under this constitution, no one will be awarded this type of membership forthwith.

(c) The membership of an Honorary Member may be terminated by a decision of the Board approved by an Ordinary Resolution in a General Meeting, provided that the Honorary Member who is the subject of the motion must be afforded natural justice.

(d) The membership of an Honorary Member will cease on death, or whereby there membership becomes that of another membership type.

(e) All Honorary Members shall comply with the Constitution and Bylaws of the Christchurch Junior Cricket Association.

5.2 Participation at General Meetings

Honorary Members may attend any General Meeting and take part in any discussion but shall not be entitled to move or second motions or to vote.

6. General Meetings

6.1 Annual General Meetings

The Annual General Meeting of Christchurch Junior Cricket Association shall be held annually at such time and place (including by means of audio link, audio-visual link or other electronic communication) as the Board shall decide but:

(a) not later than the 30th October in each year;

(b) not later than 6 months after the balance date of Christchurch Junior Cricket Association; and

(c) not later than 15 months after the previous Annual General Meeting.

The General Manager or their nominee shall give at least thirty (30) Business Days' written notice of the meeting to all Members and Affiliates. Notice to Members of an Annual General Meeting may be given by posting on Christchurch Junior Cricket Association's website.

Minutes must be kept of all General Meetings.

6.2 Special General Meetings

All General Meetings of Members and Affiliates other than the Annual General Meeting are Special General Meetings.

The General Manager or their nominee shall convene a Special General Meeting:

(a) at the request of the Board;

(b) upon receipt of a written requisition by 5 Members; or

(c) upon the written requisition of the affected Member, if the third paragraph of clause 3.6 applies.

Such requisition shall set forth the purpose of the proposed Special General Meeting. The relevant Special General Meeting shall be held within twenty (20) Business Days of receipt by the General Manager of the request or requisition. Special General Meetings may be held by means of audio link, audio-visual link or other electronic communication.

The General Manager or their nominee shall give written notice to all Members and Affiliates of the meeting and all business proposed to be brought before any Special General Meeting at least fifteen (15) Business Days prior to the date of such meeting. No business other than that notified pursuant to this clause may be brought before or transacted at a Special General Meeting. Minutes must be kept of all Special General Meetings.

All the clauses applicable to the Annual General Meeting shall, where not inconsistent, apply to a Special General Meeting.

6.3 Attendance

The people entitled to attend a General Meeting shall consist of:

(a) one (1) delegate appointed by each Member Club;

(b) Executive Committee Members

(c) the Life Members

(d) the Honorary Members

(e) the General Manager of Christchurch Junior Cricket Association

(f) Christchurch Junior Cricket Association Advisory Group Members

(g) Any other person

The General Manager of the Christchurch Junior Cricket Association shall not be eligible to act as a delegate of a Member.

No delegate shall be entitled to act as a delegate for more than one Member at the same meeting.

Members shall advise the General Manager of the names of the delegates representing them prior to the commencement of any General Meeting.

6.4 Voting

The voting rights at a General Meeting are as follows:

Club Members shall have one vote each.

Those listed in clause 6.3(b) are only permitted to exercise voting rights at a General Meeting if they are advised to the General Manager prior to the commencement of any General Meeting as a Club Member delegate.

Those listed in clause 6.3(c-g) are not permitted to exercise any voting rights, including proposing or seconding motions at a General Meeting.

Unless stated otherwise, all matters to be determined by Members at a General Meeting shall be determined by Ordinary Resolution.

Voting will generally be conducted by voices or by a show of hands as determined by the Chair of the General Meeting unless a secret ballot is called for and approved by Ordinary Resolution, or the Chair determines voting will be undertaken via electronic means.

Written resolutions may not be passed in lieu of a General Meeting.

6.5 Role of the Chairperson

At all General Meetings the chair will be taken by the Chairperson, but if the Chairperson is not present, able or willing to take the chair then the Executive Committee may nominate another person to take the chair.

6.6 Quorum

At General Meetings a quorum shall be achieved when the delegates present in accordance with clause 6.9 have the power to exercise 55% of the total number of votes able to be cast.

No business may be conducted at a General Meeting if a quorum is not present.

If a quorum is not reached within 30 minutes of the scheduled start time of an Annual General Meeting, the Annual General Meeting will be adjourned to a day, time, and place determined by the Chair.

If a quorum is not reached within 30 minutes of the scheduled start time of a Special General Meeting, the Special General Meeting is cancelled.

6.7 Order of Business

The order of business of the Annual General Meeting shall be to:

(a) confirm minutes of the previous Annual General meeting;

(b) receive and adopt the Annual Report;

(c) receive and adopt the audited or reviewed Financial Statements for the previous financial year and the qualified auditor's report to Members on the audited or reviewed Financial Statements;

(d) give notice of any disclosures of conflicts of interest made by Executive Committee members, including a brief summary of the Matters, or types of Matters, to which those disclosures all relate;

(e) elect Chairperson;

(f) elect Treasurer;

(g) elect Secretary;

(h) elect 2-4 other executive committee members;

(i) elect Life Members;

(j) appoint an Auditor;

(k) consider any business or proposed resolution of which notice has been given; and

(l) transact any general business.

The General Manager shall supply to each Member and Affiliate an order of business for the Annual General Meeting including a copy of the Annual Report and the Financial Statements at least ten (10) Business Days prior to the date of the Annual General Meeting.

Any Member requiring any business to be discussed or any resolution to be considered at the Annual General Meeting shall give notice in writing to the General Manager of such business or such resolution at least twenty (20) Business Days prior to the date of the Annual General Meeting.

6.8 Irregularities

(a) An accidental omission to give notice of a General Meeting to, or a failure to receive notice of a General Meeting by, a Member does not invalidate the proceedings at that General Meeting.

(b) Subject to subclause (a), any irregularity, error or omission in notices, agendas and relevant papers of General Meetings or the omission to give notice within the required time frame or the omission to give notice to all Members and any other error in the organisation of the General Meeting will not invalidate the General Meeting nor prevent the General Meeting from considering the business of the meeting if:

(i) the Chair in their discretion determines that it is still appropriate for the General Meeting to proceed despite the irregularity, error, or omission; and

(ii) a motion to proceed is put to the General Meeting and such motion is passed by a Special Resolution.

6.9 Method of Meeting

Subject to clauses 6.1 and 6.2, a General Meeting of Christchurch Junior Cricket Association may be held by a quorum of Members:

(a) being assembled together at the time and place appointed for the General Meeting;

(b) participating in the General Meeting by means of audio link, audio-visual link or other electronic communication; or

(c) by a combination of both of the methods described in (a) and (b).

7. Executive Committee

7.1 Number

The Executive Committee shall consist of a Chairperson, Treasurer & Secretary and a minimum of two (2) and a maximum of four (4), additional members elected pursuant to clause 7.2 or appointed pursuant to clause 7.4 and a majority of the Executive Committee must be made up of people who are Members, or representatives of bodies that are Members.

7.2 Election of Executive Committee

(a) The Executive Committee consists of:

  (i) The 3 office holder titled positions of Chairperson, Treasurer & Secretary elected at a General Meeting

  (ii) Two (2) to four (4) members elected at a General Meeting

(b) Elections of the Elected Executive Committee Members at the AGM will take place as follows:

  (i) if there are more nominees than number of positions available, the election is by secret ballot, unless otherwise decided by the Chair of the General Meeting and approved by a Special Resolution of Members. If a secret ballot is held, two scrutineers must be appointed at the General Meeting to count the votes;

  (ii) those nominees who have the highest number of votes in their favour to fit the number of vacant positions are declared elected;

  (iii) if the number of votes for one or more nominees is equal to another nominee, a further vote will be held between the tied nominees;

  (iv) if there is only one nominee for a vacant position, that person is declared to be elected without the need for a vote.

(c) Executive Committee members will hold the position until the next Annual General Meeting.

7.3 Application for election as an Executive Committee Member

The General Manager (or their nominee) shall call for nominations for all elected positions from Members, including Chairperson, Treasurer & Secretary, as well as Executive Committee Member at least thirty (30) Business Days prior to the date of the Annual General Meeting.

Any such nomination or application shall be made in writing and shall be received by the General Manager (or their nominee) at least twenty (20) Business Days prior to the date of the Annual General Meeting.

The General Manager (or their nominee) shall advise all voting members of the nominations received at least fifteen (15) Business Days prior to the date of the Annual General Meeting.

Every individual who is nominated or submits an application must provide, in writing, their consent to be an Officer and a certification that they are not disqualified from being elected, appointed, or holding office as a Director by this Constitution or under section 47(3) of Act.

7.4 Co-opted Executive Committee Member

(a) If:

(i) any Executive Committee Member dies, resigns, is removed or forfeits their position; or

(ii) the Members do not elect to fill all four (4) elected Executive Member positions at the Annual General Meeting

then the Executive Committee may, but shall not be obliged to, appoint a replacement Executive Committee Member (**Co-opted Executive Committee Member**).

(b) The term of office for any Co-opted Executive Committee Member shall automatically expire at the conclusion of the next Annual General Meeting.

7.5 Chairperson to have the casting vote

The Chairperson shall have a deliberative vote and a casting vote. For the avoidance of doubt, the Chairperson shall have a deliberative vote and a casting vote at Executive Committee meetings only.

7.6 Forfeit

Any Executive Committee Member who fails to attend two (2) consecutive meetings of the Board without leave of absence shall forfeit their seat on the Executive Committee.

7.7 Calling meetings

Executive Committee meetings may be called at any time by the Chair or by three Executive Committee members, but generally the Executive Committee meets monthly.

7.8 Meeting procedure

Except to the extent specified in the Act or this Constitution, the Executive Committee may regulate its own procedure.

Subject to this Constitution and the Act, each Executive Committee member will be entitled to 1 vote on any matter being voted on by the Executive Committee. Subject to this Constitution, the number of votes required to reach any decision will be not less than a majority of the Executive Committee members present and eligible to vote at the meeting.

Where half or more of the Executive Committee members present at the Executive Committee meeting are not eligible to vote on a matter because they are interested in the matter in accordance with the Act, the remaining Executive Committee members may vote on the matter. Where only 1 Executive Committee member remains, a Special General Meeting must be called to determine the matter.

7.9 Quorum

Four (4) Executive Committee members, present in accordance with clause 7.11, shall form a quorum at meetings of the Board.

No business may be transacted by the Board if a quorum is not present.

7.10 Attendees at Board Meetings

The General Manager shall be entitled to attend and speak at all meetings of the Executive Committee but shall have no vote, but at the request of the Chairperson, the General Manager shall be required to leave any meeting of the Executive Committee so that it may carry out its business without them in attendance.

Members of other interested parties or advisory groups related to the Association may also be invited to meetings of the Executive Committee, at the determination of the Executive Committee. They may be granted speaking rights, but shall have no voting rights. They may also be required to leave any meeting of the Executive Committee so that it may carry out its business without them in attendance.

7.11 Method of meeting

Subject to clause 6.9, a meeting of the Executive Committee may be held by a quorum of Executive Committee members:

(a) being assembled together at the time and place appointed for the meeting;

(b) participating in the meeting by means of audio link, audio-visual link or other electronic communication; or

(c) by a combination of both of the methods described in (a) and (b).

7.12 Written Resolutions

A resolution in writing, signed or consented to by email, or other form of visible or other electronic communication by all the Executive Committee members shall be as valid and effectual as if it had been passed at a meeting of Executive Committee members. Any such resolution may consist of several documents in like form each signed or consented to by one or more Executive Committee members.

7.13 Eligibility

If an Executive Committee member is a director, employee or contractor of a Member, then this must be declared at any Annual General Meeting at which they will be voted for, before the vote occurs, so all voting Members present are aware of any potential conflicts of interest.

A person is disqualified from holding the position of Executive Committee member if any of the circumstances in section 47(3) of the Act apply.

7.14 Removal of an Executive Committee member

The Executive Committee may, by Special Resolution of the Executive Committee, remove any Executive Committee member from the Executive Committee before the expiry of their term of office if the Executive Committee considers that the Executive Committee member has been charged with a criminal offence, bankrupted, seriously breached duties under this Constitution or the Act, or is no longer suitable to be a Executive Committee member. The Executive Committee member who is the subject of the motion will be counted for the purpose of reaching a quorum and will not participate in the vote on the motion.

Before considering a motion for removal, the Executive Committee member affected by the motion must be given:

(a) written notice that an Executive Committee meeting is to be held to discuss the motion to remove them and the basis for the motion; and

(b) adequate time to prepare a response; and

(c) the opportunity prior to the Executive Committee meeting to make written submissions; and

(d) the opportunity to be heard at the Executive Committee meeting.

A person ceases to be an Executive Committee member if:

(e) the person resigns by delivering a written notice of resignation to the Executive Committee;

(f) the person is removed from office under this Constitution or any Bylaw;

(g) the person becomes disqualified from being an officer under section 47(3) of the Act;

(h) the person fails to attend two (2) consecutive meetings of the Executive Committee without leave of absence;

(i) the person dies.

If any of the circumstances listed in sub-clause (g) occur to an existing Executive Committee member, they are deemed to have vacated their office upon the relevant authority making an order or finding against them of any of those circumstances.

7.15 Removal of the Executive Committee

The Members can seek the removal of the Executive Committee by requisitioning a Special General Meeting in accordance with clause 6.2. The Executive Committee can be removed from office by a Special Resolution passed at a requisitioned Special General Meeting. The General Manager must give at least twenty (20) Business Days' notice to the Executive Committee of the meeting at which a motion for removal from the Executive Committee is to be considered.

8. Duties and Powers of the Executive Committee

8.1 Duties

The Officers owe duties to Christchurch Junior Cricket Association as set out in sections 54 to 59 of the Act. These duties include:

a) Acting in good faith and in the best interests of the society;
b) Exercising powers for proper purposes only;
c) Complying with the Act and the constitution;
d) Exercising the care and diligence that a reasonable person would in the same circumstances;
e) Not creating a substantial risk of serious loss to the society's creditors; and
f) Not agreeing to the society incurring obligations unless there is reasonable ground to believe it can meet them.

8.2 Powers of the Board

The operation and affairs of Christchurch Junior Cricket Association must be managed by, or under the direction or supervision of, the Executive Committee. Subject to the Act and this Constitution, the Executive Committee has all the powers necessary for governing, managing, and for directing and supervising the management of, the operation and affairs of Christchurch Junior Cricket Association.

If any case should occur which is not, or which in the opinion of the Executive Committee is not, provided for by this Constitution or any Bylaw, or if any disputes arises out of the interpretation of this Constitution or the Bylaws, it shall be determined by the Executive Committee in such manner as it shall think fit, and it may (if it thinks fit to do so) report the case with its decision to a General Meeting.

9. Player Administration

9.1 Player Disqualification

(a) No player who has been reported to the Board as having been suspended or disqualified by New Zealand Cricket, by any Major Association or District Association which is a member of New Zealand Cricket, by any Member, or by the Sports Tribunal of New Zealand or during the term of any disqualification by any anti-doping authority of competent jurisdiction, shall be selected for any match under the jurisdiction of Christchurch Junior Cricket Association or of any Member, without the consent of the Executive Committee or until such suspension or disqualification is removed.

(b) In addition to any other penalty provided for by this Constitution, a Member which commits a breach of this clause shall, if the Executive Committee so decides, be liable to forfeit all matches in which a suspended or disqualified player takes part.

10. Contact Person

The Executive Committee must appoint at least one, and a maximum of three, persons to be Christchurch Junior Cricket Association's Contact Person. Contact Person/s must ordinarily reside in New Zealand, and must meet the eligibility criteria set out in section 108 of the Act.

The Executive Committee must advise the Registrar of Incorporated Societies of any change in the Contact Person or that person's Contact Details.

11. Finance, Annual Report and Audit

(a) The funds and property of the Christchurch Junior Cricket Association will be controlled and managed by the Executive Committee in accordance with this Constitution and the Act.

(b) The Executive Committee shall ensure that the funds and assets of the Christchurch Junior Cricket Association are administered in a business like and professional manner, that proper books of account are kept, and that the annual financial statements are audited or reviewed.

(c) The financial year of Christchurch Junior Cricket Association shall end on the 31st day of July in each year and may be altered from time to time by Ordinary Resolution at an Annual General Meeting.

(d) A report of the year's activities together with the Financial Statements shall be prepared by the Executive Committee for presentation to the Annual General Meeting.

(e) The Financial Statements shall be audited or reviewed prior to the Annual General Meeting.

(f) The Auditor or Reviewed shall be a practising qualified auditor or reviewer.

(g) Christchurch Junior Cricket Association shall file an annual return and a copy of its financial statements with the Registrar of Incorporated Societies in accordance with the requirements of the Incorporated Societies Act 2022 and the Financial Reporting Act 2013.

12. Amendment to Constitution

12.1 Amendments generally

This Constitution may be amended, repealed or replaced in writing by a Special Resolution (of which notice has been given in accordance with this Constitution) passed at a General Meeting.

No addition to, deletion from or alteration of this Constitution may be made which would allow personal pecuniary profits to any individuals.

No addition to, deletion from or alteration of this Constitution may be made that is either inconsistent with the rules, regulations and policies of Canterbury Cricket or is not approved by the Board of Canterbury Cricket.

12.2 Minor or technical amendments

The Board may amend the terms of this Constitution by a unanimous resolution of the Executive Committee if the amendment:

(a) has no more than a minor effect; or

(b) corrects errors or makes similar technical alterations,

PROVIDED THAT the Executive Committee provides written notice of the amendment to every Member of Christchurch Junior Cricket Association, with the notice stating:

(i) the text of the amendment; and

(ii) the right of the Member to object to the amendment.

(c) If no Member objects within 20 Business Days after the date on which the notice is sent, the Executive Committee may make the amendment.

(d) If a Member objects to the amendment under clause 12.2 within 20 Business Days after the date on which the notice is sent, Christchurch Junior Cricket Association may not make the amendment under this clause.

13. Indemnity and Insurance

13.1 Indemnity and Insurance generally

Christchurch Junior Cricket Association may indemnify its current and former Executive Members, Members and employees as permitted by section 96 of the Act.

With the prior approval of its Executive Committee, Christchurch Junior Cricket Association may effect insurance for its current and former Officers, Members and employees as permitted by section 97 of the Act.

13.2 Indemnity and Insurance for breach of Officers duties

Christchurch Junior Cricket Association may, with the authority of the Executive Committee, indemnify and/or obtain insurance for an Officer for:

(a) liability (other than criminal liability) for a failure to comply with:

(i) a duty under section 54 to 61 of the Act (officers' duties); or

(ii) any other duty imposed on an officer in their capacity as an Officer of Christchurch Junior Cricket Association; and/or

(b) costs incurred by the Officer for any claim or proceeding related to a liability under clause 13.2(a).

14. Liquidation or removal from register

14.1 Notice

The Executive Committee must give notice to all Members at least 20 Business Days of a proposed motion:

(a) to appoint a liquidator;

(b) to remove Christchurch Junior Cricket Association from the Register of Incorporated Societies; or

(c) for the distribution of Christchurch Junior Cricket Association's surplus assets.

The notice must comply with section 228 of the Act and include details of the General Meeting at which the proposed motion is to be considered.

Any resolution for a motion set out in clauses 14.1(a) to (c) must be passed by a 75% majority of the votes recorded at a General Meeting.

14.2 Surplus assets

Any surplus assets available after the payment of all liabilities of Christchurch Junior Cricket Association shall be distributed to the Members who are not-for-profit entities in such proportions as the Members may resolve at a General Meeting called for such a purpose or at the General Meeting which passes the resolution appointing a liquidator or authorising a Member to request Christchurch Junior Cricket Association's removal from the Register provided however that no part of the income or other funds of Christchurch Junior Cricket Association shall be used for the private pecuniary profit of any individual person.

15. Administration

15.1 Colours

The colours of Christchurch Junior Cricket Association shall be Red and Black, and shall be worn by all players representing Christchurch Junior Cricket Association. The Board may approve other colours to be worn by players representing Christchurch Junior Cricket Association.

16. Bylaws and Integrity

16.1 Bylaws

The Executive Committee may make and amend Bylaws for the conduct and control of Christchurch Junior Cricket Association's activities and codes of conduct applicable to Members. Any Bylaw must be consistent with this Constitution, the Purposes, the constitution of New Zealand Cricket, the Act and any other laws. All Bylaws are binding on Christchurch Junior Cricket Association and the Members. The making, amendment, revocation, or replacement of a Bylaw is not an amendment of this Constitution.

16.2 Definition

In this clause 16, **Integrity Code** means the Code of Integrity for Sport and Recreation issued by the Sport Integrity Commission under section 19 of the Integrity Sport and Recreation Act 2023.

16.3 Integrity Code binding

If New Zealand Cricket gives notice to Christchurch Junior Cricket Association that it has adopted the Integrity Code, the Members of Christchurch Junior Cricket Association shall be bound by the Integrity Code.

16.4 Application to Members

All Members must include in their constitution that if New Zealand Cricket adopts the Integrity Code the Members agree to the application of the Integrity Code to them and agree to be bound by it and must require that their members include a similar clause in their constitutions.

17 Disputes

17.1 Definitions

In this clause 17:

(a) **Dispute** means a disagreement or conflict between and among any one or more Members, any one or more Officers and Christchurch Junior Cricket Association, that relates to an allegation that:

(i) a Member or an Officer has engaged in misconduct; or

(ii) a Member or an Officer has breached, or is likely to breach, a duty under this Constitution or the Act; or

(iii) Christchurch Junior Cricket Association has breached, or is likely to breach, a duty under this Constitution or the Act; or

(iv) a Member's rights or interests as a member have been damaged or Members' rights or interests generally have been damaged;

(b) **Disputes Procedure** means the procedure for resolving a Dispute set out in this clause 17;

(c) a **Member** is a reference to a Member acting in their capacity as a Member;

(d) an **Officer** is a reference to an Officer acting in their capacity as an Officer.

17.2 Application of other legislation to a Dispute

(a) The Disputes Procedure will not apply to a Dispute to the extent that other legislation requires the Dispute to be dealt with in a different way. The Disputes Procedure will have no effect to the extent that it contravenes, or is inconsistent with, that legislation.

17.3 Application of other procedures under this Constitution or in a Bylaw

(a) If the Dispute is dealt with by a separate procedure under this Constitution or in a Bylaw (**Other Procedure**), that Other Procedure applies to the exclusion of the Disputes Procedure. If any part of the Other Procedure is inconsistent with the rules of natural justice, that part will not apply, but the remainder of the Other Procedure will continue to apply together with adjustments as determined by the Executive Committee in its discretion so that the Other Procedure is consistent with the rules of natural justice.

(b) If the conduct, incident, event or issue does not meet the definition of a Dispute and is managed by any Other Procedure, that Other Procedure applies to the exclusion of the Disputes Procedure.

17.4 Application of the Disputes Procedure

(a) If the Dispute is not required by other legislation to be dealt with in a different way and it is not dealt with by any Other Procedure, the Disputes Procedure applies to the Dispute.

17.5 Disputes Procedure

(a) **Raising a complaint**

(i) A Member or an Officer may start the Disputes Procedure (a **Complaint**) by giving written notice to the Executive Committee setting out:

(1) the allegation to which the dispute relates and who the allegation is against; and

(2) any other information reasonably required by Christchurch Junior Cricket Association.

(ii) Christchurch Junior Cricket Association may make a Complaint involving an allegation against a Member or an Officer by giving notice to the person concerned setting out the allegation to which the Dispute relates.

(iii) The information given must be enough to ensure a person against whom the Complaint is made is fairly advised of the allegation concerning them, with sufficient details given to enable them to prepare a response

(b) **Investigating and determining Disputes**

(i) Unless otherwise provided, Christchurch Junior Cricket Association must as soon as is reasonably practicable after receiving or becoming aware of a Complaint, ensure the Dispute is investigated and determined.

(ii) Disputes must be dealt with in a fair, efficient, and effective manner.

(c) **Decision to not proceed with a matter**

(i) Despite the contents of the Disputes Procedure, Christchurch Junior Cricket Association may decide not to proceed with a matter if:

(1) the Complaint is trivial; or

(2) the Complaint appears to be without foundation or there is no apparent evidence to support it; or

(3) the person who makes the Complaint has an insignificant interest in the matter; or

(4) any material misconduct; or

(5) the conduct, incident, event, or issue giving rise to the Complaint has already been investigated and dealt with under this Constitution;

(6) there has been an undue delay in making the Complaint; or

(7) the Complaint involves two Members who are also members of an organisation (**Organisation X**) which is also a Member of Christchurch Junior Cricket Association, and the Complaint has either been dealt with by Organisation X or is required to be, pursuant to the dispute resolution procedures of Organisation X.

(d) **Complaint may be referred**

(i) Christchurch Junior Cricket Association may refer a Complaint to:

(1) a hearing body or person authorised, delegated or appointed by the Executive Committee to hear and resolve Disputes, and includes an arbitral tribunal (**Hearing Body**); or

(2) a subcommittee or an external person to investigate and report; or

(3) any type of consensual dispute resolution with the consent of all parties to the Complaint.

Together a **Decision Maker**.

(e) **Hearing Body**

The Executive Committee may determine the composition, jurisdiction, functions and procedures of, and any sanctions which can be imposed by, any Hearing Body. Each Hearing Body has delegated authority by the Executive Committee to resolve, or assist to resolve, Complaints.

(f) **Bias**

An individual may not be a Decision Maker or part of a Decision Maker in relation to a Complaint if two or more members of the Executive Committee or of the Decision Maker consider there are reasonable grounds to believe that the individual may not be:

(i) impartial; or

(ii) able to consider the matter without a predetermined view.

(g) **Complainant's right to be heard**

(i) The Member or Officer has a right to be heard before the Complaint is resolved or any outcome is determined. If Christchurch Junior Cricket Association makes a Complaint, Christchurch Junior Cricket Association has a right to be heard before the Complaint is resolved or any outcome is determined, and an Executive Committee member may exercise that right on behalf of Christchurch Junior Cricket Association.

(ii) A Member or Officer or Christchurch Junior Cricket Association must be taken to have been given the right if:

(1) the Member or Officer or Christchurch Junior Cricket Association has a reasonable opportunity to be heard in writing or at an oral hearing, if one is held; and

(2) an oral hearing is held if the Decision Maker considers that an oral hearing is needed to ensure an adequate hearing; and

(3) an oral hearing, if any, is held before the Decision Maker; and

(4) the Member's or Officer's or Christchurch Junior Cricket Association's written statement or submission, if any, are considered by the Decision Maker.

(h) **Respondent's right to be heard**

(i) The Member or Officer who, or Christchurch Junior Cricket Association which, is the subject of the Complaint (**Respondent**) has a right to be heard before the Complaint is resolved or any outcome is determined. If the Respondent is Christchurch Junior Cricket Association, an Executive Committee member may exercise the right on behalf of Christchurch Junior Cricket Association. A Respondent must be taken to have been given the right if:

(1) the Respondent is fairly advised of all allegations concerning the Respondent, with sufficient details and time given to enable the Respondent to prepare a response; and

(2) the Respondent has a reasonable opportunity to be heard in writing or at an oral hearing, if one is to be held; and

(3) an oral hearing is held if the Decision Maker considers that an oral hearing is needed to ensure an adequate hearing; and

(4) an oral hearing, if any, is held before the Decision Maker; and

(5) the Respondent's written statement or submissions, if any, are considered by the Decision Maker.

17.6 Appeals

There is no right of appeal or right of review of a decision unless specified.

18. Definitions and interpretation

18.1 Definitions and interpretation

In this Constitution, unless the context otherwise requires:

Christchurch Junior Cricket Association means Christchurch Junior Cricket Association Incorporated.

Act means the Incorporated Societies Act 2022, its regulations and any subsequent amendments.

Affiliates means Executive Committee Members, Honorary Members and Life Members.

Annual General Meeting means the annual general meeting held pursuant to clause 6.1.

Annual Report means the Annual Report of Christchurch Junior Cricket Association containing information about the activities, operations, personnel and finances of Christchurch Junior Cricket Association in the previous year, together with information about Christchurch Junior Cricket Association representative teams and domestic cricket competitions conducted by Christchurch Junior Cricket Association in the previous year.

Business Day means a day of the week other than:

(a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, Matariki, Labour Day, and Waitangi Day;

(b) a day in the period commencing with the 25th day of December in any year and ending with the 2nd day of January in the following year;

(c) if the first day of January in any year falls on a Friday, the following Monday; and

(d) if the first day of January in any year falls on a Saturday or Sunday, the following Monday and Tuesday.

Bylaws means the bylaws of Christchurch Junior Cricket Association as may be amended from time to time in accordance with this Constitution.

Chairperson means the Chairperson of the Executive Committee.

Competition Rules, Playing Conditions and Regulations means the respective competition rules, playing conditions and regulations relating to the sport of cricket as may be promulgated by or conducted under the auspices of Christchurch Junior Cricket Association and/or New Zealand Cricket and/or the International Cricket Council from time to time and each individual term shall have its corresponding meaning.

Constitution means the Constitution of Christchurch Junior Cricket Association and all amendments to it from time to time.

Contact Details means: (a) a physical or electronic address; and (b) a telephone number.

Contact Person means a person holding the position of contact person for Christchurch Junior Cricket Association being the person whom the Registrar can contact when needed.

Co-opted Executive Committee Member means an Executive Committee Member appointed under clause 7.5.

Executive Committee Member means a member of the Executive Committee

Executive Committee means the current Executive Committee members including any Co-opted Executive Committee members.

Financial Statements has the same meaning as in section 6 of the Financial Reporting Act 2013.

General Meeting means an Annual General Meeting or Special General Meeting.

Honorary Member has the meaning set out in clause 5.1

Life Member has the meaning set out in clause 4.1

Matter has the meaning set out in section 62(4) of the Act.

Member has the meaning set out in clause 3.1.

Month means a calendar month.

Officer has the meaning set out in the Act.

Ordinary Resolution means a resolution that is approved by a simple majority of the votes cast on behalf of persons entitled to vote and voting on the question.

Purposes means the purposes of Christchurch Junior Cricket Association stipulated in clause 2.1.

Register means the Register of Incorporated Societies.

Registrar means the Registrar of Incorporated Societies.

Special General Meeting means any meeting (other than an Annual General Meeting) held under clause 6.2.

Special Resolution means a resolution approved by a majority of 60% of the votes cast on behalf of persons entitled to vote and voting on the question.

18.2 Interpretation

In this Constitution, unless the context otherwise requires:

(a) the singular in all cases includes the plural and vice versa;

(b) references to clauses and Schedules are references to clause of and schedules in this Constitution unless expressly specified otherwise;

(c) a reference to a person includes a company, other corporations and also a body of persons (corporate or incorporate);

(d) where words or expressions are defined, other parts of speech and grammatical forms of that word or expression have corresponding meanings;

(e) the words "includes", "including" or "include" must be read and interpreted without limitation;

(f) any reference to any legislation includes any secondary legislation, statutory regulations, rules, orders or instruments made or issued pursuant to that legislation and any amendment to, re-enactment of, or replacement of, that legislation;

(g) headings are for convenience of reference only and shall not in any way affect the construction or interpretation of this Constitution; and

(h) all periods of time or notice exclude the days on which they are given.

18.3 Notices

Subject to any other notice requirements in this Constitution, any notice or other communication given under this Constitution must be in writing and will be given to:

(a) a Member if sent to the address set out in their Contact Details;

(b) Christchurch Junior Cricket Association if sent to [email address] or by post to Christchurch Junior Cricket Association's registered office set out on the Register of Incorporated Societies.

18.4 Receipt of Notices

A notice is deemed to have been received:

(a) if given by post, when left at the address of that party or five Business Days after being put in the post; or

(b) if given by email, upon production of a physical copy of the email detailing the time and the date the email was sent (provided that the sender does not receive any "out of office" auto-reply or other indication of non-receipt),

provided that any notice or communication received or deemed received after 5pm on a Business Day, or on a day which is not a Business Day, will be deemed not to have been received until the next Business Day.

2-3-2026

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