

Blacktown City & District Cricket Association Inc. Constitution

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PART 1 PRELIMINARY

1 Definitions

1.1 The name

The name of the Association is **Blacktown City & District Cricket Association Incorporated.**

1.2 Objectives

- (a) To foster and develop the game of cricket in the Blacktown City & Districts area, organising and managing competitions for junior and senior teams.
- (b) To do all such other things as are incidental or conducive to the attainment of the objects of the Association.

1.3 In this Constitution;

“A.G.M”	This abbreviation refers to the Annual General Meeting, held once a calendar year.
“B.C.&D.C.A. Inc”	This abbreviation refers to the Blacktown City & District Cricket Association Incorporated.
“B.C.&D.C.U.A.”	This abbreviation refers to the Blacktown City & District Cricket Umpires Association.
“Bond”	means a refundable sum of money exacted as a penalty as set down by the BC&DCA (amended June 2015)
“Commissioner”	means the Commissioner of the Office of Fair Trading
“Committee”	means the Management Committee unless stated otherwise

“CNSW”	This abbreviation refers to Cricket New South Wales.
“Digital Signature”	Senders name at the bottom of an email.
“Fine”	is a non-refundable sum of money exacted as a penalty
“Function”	A reference to a function includes a reference to a power, authority and duty: and A reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.
“G.M.”	This abbreviation refers to the General Meeting (Delegates)
“M.C.”	This abbreviation refers to the members apart of the Management Committee.
“M.C.M.”	This abbreviation refers to the Management Committee Meeting, held on the second Monday of the month, where appropriate.
“Member”	Means a member of the Association which shall include; (a) Affiliated Clubs (b) Members of Affiliated Clubs (c) Officials of the Association (d) Life Members
“Ordinary committee member”	means a member of the committee who is not an office-bearer of the association.
“P.&D.C.”	This abbreviation refers to the Protests and Disputes Committee.

“Signature”	shall include an email that has the senders name at the bottom. It shall be referred to as a digital signature’ (added June 2015)
“Secretary”	Means; (a) The person holding office under this constitution as secretary of the Association or (b) If no such person holds that office – the public officer of the Association.
“Service of notice”	will be by means of email, telephone, letter or facsimile to a member, committee member or person under the jurisdiction of BC&DCA
“Special General Meeting”	Means a general meeting of the Association other than Annual General Meeting. The abbreviation to this is SGM.
“Suspended sentence”	is the delay of imposition for a set period of a penalty that would otherwise have applied immediately
“Suspension”	is the exclusion of a member from activities under the control of BC&DCA
“The Act”	means the Associations Incorporations Act, 2009; “the Association” means the Blacktown City & District Cricket Association Incorporated:
“The Clubs”	means any club, association or other bodies affiliated with the Blacktown City & District Cricket Association Incorporated:
“Player”	means a person who is registered by an Affiliated Club with the purpose of participating in any

competition run under the auspices of the Association.

“The Regulation”

means the Associations Incorporation Regulation, 2010.

1.4 Financial Year

The financial year of the Association shall be the period of one year from 1 April to the 31 March the following year.

1.5 Registration year

For the purpose of these rules, the registration year shall be the period from 1 September to 31 August on the succeeding year.

1.6 Interpretation Act

The provisions in the Interpretation Act, 1987 apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

1.7 Acknowledgement of Country

All BC&DCA Inc meetings, presentations & official functions/events, the chairperson or nominated individual will open with an Acknowledgment of Country.

PART 2 MEMBERS OF ASSOCIATION

2 Membership generally

- 2.1 An individual is taken to be a member of the association if:
- (a) the person applied to be a member under clause 3(1) and the application has been approved, or
 - (b) the person was 1 of the individuals on whose behalf an application for registration of the association was made under the Act, section 6(1)(a), or
 - (c) the person was:
 - (i) for an unincorporated body registered as the association - a member of the body immediately before the registration, or
 - (ii) for a registrable corporation registered as the association - a member of the corporation immediately before the registration, or
 - (iii) for an association that was amalgamated to form the relevant association - a member of the existing association immediately before the amalgamation.
- 2.1 Only individuals are eligible to register as members of the association.

3 Membership applications

- 3.1 An application by a person to be a member of the association must be:
- (a) made in writing, and
 - (b) in the form determined by the management committee, and
 - (c) lodged with the secretary.
- 3.2 The committee may determine that an application may be made or lodged by email or other electronic means.
- 3.3 The secretary must refer an application to the committee as soon as practicable after receiving the application.
- 3.4 The management committee must approve or reject the application.
- 3.5 As soon as practicable, after the committee has decided on the application, the secretary must:
- (a) give the applicant written notice of the decision, including by email or other electronic means if determined by the committee, and
 - (b) if the application is approved - inform the applicant that the applicant is required to pay the entrance fee and annual subscription fee payable under clause 5 within 28 days of the day the applicant received the notice.

- 3.6 The secretary must enter the applicant's name in the register of members as soon as practicable after the applicant pays the entrance fee and annual subscription fee in accordance with subclause (5)(b).
- 3.7 The applicant becomes a member once the applicant's name is entered into the register.

4 Register of members

- 4.1 The public officer of the association must establish and maintain a registry of members of the association specifying the name and postal or residential address of each person who is a member of the association together with the date on which the person became a member.
- 4.2 The register of members shall be kept in New South Wales:
- (a) At the main premises of the association, or
 - (b) If the association has no premises, at the association's official address.
- 4.3 The register of members must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- 4.4 A member of the association may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.
- 4.5 If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.
- 4.6 A member must not use information about a person obtained from the register to contact or send material to the person, other than for;
- (a) The purpose of sending the person a newsletter, a notice in respect of a meeting or other event relating to the association or other material relating to the association, or
 - (b) Any other purpose necessary to comply with a requirement of the Act or the Regulation.

5 Life Membership

- 5.1 The association shall have the power to elect life members, with a maximum of two being elected in any given year. A member who meets the criteria shall be eligible for nomination as a life member of the association. The criteria is as follows.
- (a) A member of the management committee who has contributed meritorious service for a minimum of eight (8) years.
 - (b) A playing member of the association for a minimum of twenty-five years (25) who, in the option of the management committee, has displayed superior conduct and made a significant contribution to cricket in the district.
- 5.2 Life members shall only be elected at an Annual General Meeting.
- 5.3 Nominations for life members shall be made by either a member of the Management Committee or by the Secretary of a member club and shall include information, which is not more than two hundred and fifty words in length, in support of such a nomination.
- 5.4 Nomination for life membership shall be forwarded to the BC&DCA Honorary Secretary prior to the second Monday in April of any given year.
- 5.5 Nominations for life membership must be approved by a majority of two-thirds of the members for the management committee at its April meeting.
- 5.6 A nomination for life membership approved by the management committee shall be proposed and voted upon at the forthcoming Annual General Meeting. Such a nomination shall be approved should two thirds of the delegates in attendance and entitled to vote support the nomination.
- 5.7 A nomination for life membership which fails to be approved by a two thirds majority of the Management Committee shall be deemed to have lapsed for that year.
- 5.8 Life members are entitled to attend any and all meetings as an Association Delegate and are free to speak and vote on any and all matters covered under the BC&DCA Inc. Constitution, by-laws, rules and rules changes.

6 Fees & subscriptions

- 6.1 A member of the association must, on admission to membership, pay to the association a fee of \$1 or, if some other amount is determined at the A.G.M. on recommendation of the M.C., that other amount.

- 6.2 In addition to any amount payable by the member under subclause (a), a member of the association must pay to the association an annual membership fee of \$2 or, if some other amount is determined at the A.G.M. on recommendation of the M.C., that other amount.

7 Members' liabilities

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the members in respect of membership of the association as required by clause 5.

8 Disciplinary action against members

- 8.1 A person may make a complaint to the Executive committee that a member of the association has:

- (a) failed to comply with the provision of this constitution, or
- (b) willfully acted in a way prejudicial to the interests of the association.

- 8.2 The Executive committee may refuse to deal with a complaint if the committee considers the complaint is trivial or vexatious.

- 8.3 If the Executive committee decides to deal with the complaint, the Executive committee must:

- (a) serve notice of the complaint on the member, and
- (b) give the member at least 14 days from the day the notice is served on the member within which to make submissions to the Executive committee about the complaint, and
- (c) consider any submissions made by the member.

- 8.4 The Executive committee may, by resolution, expel the member from the association or suspend the member's membership if, after considering the complaint, the committee is satisfied that:

- (a) the facts alleged in the complaint have been proved, and
- (b) The expulsion or suspension is warranted.

- 8.5 If the Executive committee expels or suspends the member, the secretary must, within 7 days of that action being taken, give the member written notice of:

- (a) the action taken, and
- (b) the reasons given by the Executive committee for taking the action, and

(c) the member's right of appeal under clause 8.

8.6 The expulsion or suspension does not take effect until the later of the following:

(a) the day the period within which the member is entitled to exercise the member's right of appeal expires, or

(b) if the member exercises the member's right of appeal within the period - the day the association confirms the resolution under clause 8.

9 Right of appeal against members

A member or player has the rights of appeal to an Appeals Board established under this Constitution.

10 Resolution of internal disputes

10.1 A dispute between players or a member and another member (in their capacity as members) of the association will be referred to the Executive Committee for resolution.

10.2 Except as provided in (c) below, a decision of the Executive Committee is final. Appeal may be made to CNSW in line with their rules and regulations.

10.3 If a dispute is between a member or members or player or players and the association, it shall be referred to CNSW in line with their rules and regulations.

10.4 If a dispute remains unresolved after exhaustion of the steps above, the dispute is to be referred to arbitration in accordance with the Commercial Arbitration Act 2010 No.61.

11 Membership Entitlements not transferable

11.1 A right, privilege or obligation which a person has by reason of being a member of the association.

(a) Is not capable of being transferred or transmitted to another person, and

(b) Terminates upon cessation of the person's membership.

12 Member resignation

12.1 A member of the association may resign from membership of the association by first giving to the secretary written notice of at least 1 month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

- 12.2 If a member of the association ceases to be a member under subclause (a), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

13 Cessation of membership

A person ceases to be a member of the association if the person

- (a) Dies, or
- (b) Resigns membership, or
- (c) Is expelled from the association, or
- (d) Fails to pay the annual membership fee under **clause 5 (2)** within 3 months after the fee is due.

PART 3 THE MANAGEMENT COMMITTEE

14 Functions of Management committee

14.1 Subject to the Act, the Regulation, this constitution and any resolution passed by the association in general meeting, the committee

- (a) is to control and manage the affairs of the association, and
- (b) may exercise all functions of the association except those that must be exercised at a general meeting, and may do anything necessary or convenient for properly managing the association's affairs

15 Composition of Management committee

15.1 The Committee must consist of a minimum of ten (10) members elected in accordance with Clause 16, including those specified in subclauses (a) and (b). The remaining members are to be elected from the floor at the Annual General Meeting (A.G.M.) or the next Management Committee Meeting (M.C.M.) that follows the A.G.M., the committee consists of;

- (a) the following nine (9) office-bearers;
 - (i) the president,
 - (ii) the Senior Vice-President,
 - (iii) the Junior Vice-President,
 - (iv) the secretary,
 - (v) the assistant secretary,
 - (vi) the treasurer,
 - (vii) the Senior Competition Secretary,
 - (viii) the Junior Competition Secretary, and
 - (ix) the social cricket officer
- (b) one (1) member from the B.C.&D.C.U.A.,
- (c) one (1) member from each of the clubs within the BCDCA, and
- (d) a maximum of five (5) Life Member to be a part of the Management committee, each of whom is to be elected and present at the annual general meeting of the association under clause 16.

Note - The Act, section 28, contains requirements relating to membership eligibility and the composition of the committee.

- 15.2 The total number of committee members is to be not less than thirteen (13).
- 15.3 A committee member may hold up to two offices (other than both the President and Vice-President offices).
- 15.4 Each member of the committee is, subject to this constitution, to hold office until the conclusion of the A.G.M. following the date of the members' election but is eligible for re-election.
- 15.5 Should any committee member be absent without reasonable excuse from three consecutive meetings the secretary shall report this to the chairperson, who shall declare the office vacant.
- 15.6 Any committee member deemed guilty of conduct considered prejudicial to the interest of the association shall within fourteen (14) days from service of notice, be required to show cause why they should not be removed from office by a majority at the G.M., on recommendation by the M.C., G.M., or S.G.M.
- 15.7 Any committee member wishing to resign may do so by giving written notice to the secretary.

16 Election of committee members

- 16.1 Nominations of candidates for election of office-bearers of the association or as ordinary committee members: -
- (a) must be made in writing, signed by two members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination), and
 - (b) must be delivered to the secretary of the association not less 7 days before the date fixed for the holding of the A.G.M. at which the election is to take place.
 - (c) each club shall nominate one (1) suitably qualified member delegate to be a committee member of the associations Management Committee and be entitled to one vote on any matter.
 - (d) each club shall nominate an alternate suitably qualified member delegate to be a committee member of the associations Management Committee and be

entitled to one vote on any matter if the club delegate is unable to attend a meeting.

- (e) clubs that fail to supply a delegate or an alternate delegate to a Management Committee meeting shall have two points deducted from each of its teams.

- 16.2 If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the A.G.M.
- 16.3 If insufficient further nominations are received, any vacant positions remaining on the committee are to be taken to be casual vacancies.
- 16.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- 16.5 If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- 16.6 The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the A.G.M. in such usual and proper manner as the committee may direct.
- 16.7 A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the association must be a member of the association.
- 16.8 At the A.G.M. a returning officer shall be elected from the floor of the meeting to take the chair for the election of the office-bearers and ordinary committee of the association

17 Terms of Office Bearers

- 17.1 Subject to this constitution, a committee member holds office from the day the member is elected until immediately before the next Annual General Meeting.
- 17.2 A member is eligible, if otherwise qualified, for a re-election.
- 17.3 There is no limit on the number of consecutive terms for which a committee member may hold office.
 - (a) The below role descriptions are the minimum taskings which is expected of the office bearers

The Executive Committee

- 17.4 The Executive Committee shall consist of;
 - (a) President
 - (b) Honorary Secretary (see section 18)
 - (c) Honorary Treasurer (see section 19)

- (d) Honorary Senior Competition Secretary
- (e) Honorary Junior Competition Secretary
- 17.5 The Executive Committee shall have the authority to handle all urgent matters in the best interests of the Association. They must report their actions for endorsement at the next G.M., S.G.M., A.G.M., or M.C.M., whichever occurs first. This authority takes precedence over any powers delegated elsewhere under by-laws, competition rules, or any subordinate document.
- 17.6 A quorum shall be three (3).

President

- The president shall;
- 17.7 Be chairperson of all meetings except those of the P&DC and Appeals Board, and,
 - 17.8 be ex-officio on all committees except the P&DC and Appeals Board, and
 - 17.9 conduct such meetings in accordance with the rules of the association, and
 - 17.10 have a casting vote only at all meetings, and
 - 17.11 be responsible for office-bearers carrying out their duties in accordance with the constitution of the association.

Honorary Senior & Junior Competition Secretary

- The Senior & Junior Competition Secretaries shall;
- 17.12 Arrange all competitions and fixtures as directed by the M.C. or executive thereof
 - 17.13 Co-ordinate with the Hon. Secretary of the BC&DCUA not later than Wednesday prior to the fixture to ensure that umpires attend fixtures;
 - 17.14 Authorise the abandonment of all or any fixtures, or deferment of any fixtures due to abnormal circumstances.
 - 17.15 Be ex-officio members of all sub-committees dealing with competition or fixtures.
 - 17.16 Advise the Executive Committee on appointment where possible of Officials to control fixtures not covered.

Non-Executive Office Bearers

- 17.17 Elected Office bearers not holding an executive position shall consist of;
 - (a) Senior Vice-President
 - (b) Junior Vice-President
 - (c) Assistant Secretary
 - (d) Public Officer
 - (e) Winter/Social Competition Secretary

Senior Vice-President

The Senior Vice-President shall;

- 17.18 in the absence of the president, be chairperson, and
- 17.19 be responsible for calling meetings of the P&DC as directed by the secretary, and,
- 17.20 be responsible to the committee for the liaison between all interested sporting bodies and the association and for the harmony of all affiliated clubs, for the betterment of cricket.
- 17.21 shall be a member of the grading committee.

Junior Vice-President

The Junior Vice-President shall;

- 17.22 in the absence of the President and Senior Vice-President, be chairperson, and
- 17.23 assist the Senior Vice-President in his duties as liaison officer, and
- 17.24 be responsible for all social and fund-raising activities.
- 17.25 shall be a member of the P&DC committee.
- 17.26 shall be a member of the grading committee.

Assistant Secretary

The assistant secretary shall;

- 17.27 ensure that the committee members sign the attendance book, and
- 17.28 keep a record of all attendance at all meetings, and
- 17.29 report to the chairperson any committee member who absents him or herself without reasonable excuse from any three (3) consecutive meetings, and
- 17.30 assist the secretary in every way, and the competition secretary/s and carry out their duties in their absence, and
- 17.31 record the business transacted at every meeting in the minute book.

Public Officer

The Public Officer shall;

- 17.32 Deal with the current business of the Corporation with the Department of Fair Trading and hold the Common Seal.

Winter/Social Competition Secretary

The Winter/Social Competition secretary shall;

- 17.33 Arrange all winter & Social competitions and fixtures as directed by the M.C. or executive thereof

- 17.34 Authorise the abandonment of all or any fixtures, or deferment of any fixtures due to abnormal circumstances.
- 17.35 Be ex-officio members of all sub-committees dealing with the Winter & Social competition or fixtures.
- 17.36 Advise the Executive Committee on appointment where possible of Officials to control games not covered.
- 17.37 The Winter & Social Competition Secretary shall be appointed by the MC for a term not exceeding 12 months. Tenure beginning 1st December concluding to 30th November in the following year. The Winter Competition Secretary shall report to the M.C. and/or Executive at every MC meeting and when directed to do so by Executive.

18 Vacancies in office

- 18.1 In the event of a casual vacancy occurring in the membership of the management committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- 18.2 A casual vacancy in the office of a member of the management committee occurs if the member:
- (i) dies, or
 - (ii) ceases to be a member of the association, or
 - (iii) becomes insolvent or bankrupt current Law, or
 - (iv) resigns office by notice in writing given to the secretary, or
 - (v) is removed from office under clause 18, or
 - (vi) becomes a mentally incapacitated person, or
 - (vii) is absent without the consent of the committee from three consecutive meetings of the committee, or
 - (viii) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
 - (ix) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the Corporations Act 2001 of the Commonwealth.

19 Honorary Secretary

- 19.1 The secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- 19.2 It is the duty of the secretary to keep minutes of
- (a) all appointments of office-bearers and members of the committee, and
 - (b) the names of members of the committee present at a committee meeting or a general meeting, and
 - (c) all proceedings at committee meetings and general meetings
 - (d) attend to the general business of the association, and
 - (e) record any action taken by the executive committee between meetings, and
 - (f) attend to the correspondence of the association, and
 - (g) prepare the annual report 2 weeks before the A.G.M., and
 - (h) undertake any other duties found necessary in the carrying out of the above functions, and
 - (i) be an ex-officio member of all committees except the P&DC and Appeals Board, and
 - (j) be responsible for advising the chairperson of the P&DC that a meeting is to be held, and
 - (k) attend to publicity in regard to policy and issue of all statements, and
 - (l) be responsible for advising the chairperson of the Appeals Board that a meeting is to be held, and
 - (m) have the power to deal with any matters of urgency occurring between the date set down for meetings of the M.C. Such actions to be ratified by the M.C. at its next meeting.
- 18.3 Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

20 Honorary Treasurer

- 20.1 It is the duty of the Honorary Treasurer of the association to ensure:
- (i) that all money due to the association is collected and received and that all payments authorised by the association are made, and
 - (ii) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association, and
 - (iii) pay all accounts passed for payment in accordance with these rules, and
 - (iv) prepare a financial statement for all M.C.M.'s and G.M.'s, and

- (v) prepare an audited financial statement and submit same to members fourteen (14) days prior to the A.G.M, and
- (vi) be responsible for compiling and maintaining an asset register and property register.
- (vii) Responsible for arranging the BC&DCA end-of-financial-year audit through the appointed accounting firm.

21 Delegation to subcommittee

- 21.1 The M.C. may, by written instrument, delegate to one or more sub-committees (composed of such members of the Association as the M.C. deems appropriate) the exercise of specific functions of the committee, as outlined in the instrument, except for:
 - (a) The power of delegation itself; and
 - (b) Any function that constitutes a duty imposed on the M.C. by the Act or any other applicable law.
- 21.2 A function delegated to a sub-committee under this clause may, while the delegation remains in effect, be exercised by the sub-committee from time to time, in accordance with the terms of the delegation.
- 21.3 A delegation under this clause may be subject to conditions or limitations regarding the exercise of any function, or the time or circumstances under which the function is to be exercised, as specified in the instrument of delegation.
- 21.4 Notwithstanding any delegation under this clause, the committee may continue to exercise any function that has been delegated.
- 21.5 Any act or omission by a sub-committee in the exercise of a delegation under this clause shall have the same force and effect as if it were performed by the M.C.
- 21.6 The M.C. may, by instrument in writing, revoke wholly or in part any delegation under this clause
- 21.7 A sub-committee may meet and adjourn as it thinks proper.

22 Management Committee meetings

- 22.1 The M.C. shall meet twelve (12) times in each period of twelve (12) months at such place and time as the M.C. may determine. This is to be a minimal time that the M.C. shall meet.
- 22.2 Additional meetings of the M.C. may be convened by the President
- 22.3 All M.C.M. shall finish no later than 10:00pm with two (2), 15-minute extensions if required.
- 22.4 The accepted rules of Parliamentary Debate shall apply at all M.C.M.

22.5 Motions proposed at any Management Committee Meeting shall be deemed invalid and shall not be considered for resolution if they are inconsistent with, or in contravention of, the current BC&DCA Constitution, By-Laws, Code of Conduct, or the Senior and Junior Competition Rules

23 Notice of Management Committee Meetings

- 23.1 Oral or written notice of any meeting of the M.C. must be given by the Honorary Secretary to each member of the M.C. at least 48 hours (or such other period as may be unanimously agreed upon by the members of the M.C.) before the time appointed for the holding of the M.C.M.
- 23.2 Notice of a meeting given under subclause (22.1) must specify the general nature of the business to be transacted at the meeting.
- 23.3 The only business is to be transacted at the meeting is
- (a) The business described in the notice, and
 - (b) business which the M.C. Members present at the meeting unanimously agree to treat as urgent business.

24 Quorum

- 24.1 Any thirteen (13) members of the M.C. constitute a quorum for the transaction of the business of a M.C.M.
- 24.2 No business shall be transacted by the M.C. unless a quorum is present.
- 24.3 If a quorum is not present within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is adjourned
- (a) to the same place, and
 - (b) to the same hour of the same day in the following week.
- 24.4 If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved

25 Presiding Committee Member

- 25.1 At a meeting of the M.C.
- (a) the president or, in the president's absence, the Vice-President (Senior then Junior) is to preside, or
 - (b) if the President and the Vice-President are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside

26 Voting

- 26.1 Questions arising at a M.C.M. or of any sub-committee appointed by the M.C. are to be determined by a majority of the votes of the members of the M.C. or sub-committee present at the meeting.
- 26.2 Each member present at a M.C.M. or of any sub-committee appointed by the M.C. (excluding the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on an inequality of votes on any question, the Chairman may exercise their casting vote.
- 26.3 Questions arising at a M.C.M. shall be determined by a majority of the votes of the members of the M.C. present at the meeting.
- Each member present at a M.C.M. is entitled to one (1) vote but, in the event of an equality of votes on any questions, the Chairman may exercise his casting vote.
- In the case of an M.C. member being connected with a club in dispute or protest he shall not sit on the M.C. for that matter, and he shall not vote.
- 25.4 Any act or thing done or suffered or purporting to be done or suffered, by the M.C., is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the M.C.

27 Acts Valid Despite Vacancies or Defects

- 27.1 Subject to clause 23.1 the committee may act despite any vacancy on the committee
- 27.2 Any act or thing done or suffered, or purporting to have been done or suffered, by the M.C. or of any subcommittee appointed by the M.C., is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the M.C. or sub-committee.
- 27.3 In the case of an M.C. member being connected with a club in dispute or protest they shall not sit on the M.C. for that matter, and they shall not vote.

28 The Duties and Responsibilities of the Management Committee

- 28.1 The Duties and Functions of the M.C. shall include the following;
- (a) Admission or rejection of application by teams or clubs for affiliation
 - (b) Admission or rejection of player's application for transfers
 - (c) Admission or rejection of applications by persons for registration as players
 - (d) The suspension or expulsion of any club, team, players or officials from participation in the affairs of the Association under the jurisdiction of the Association

- (e) The imposition of any fines or bonds on any club, team or player other than those imposed by the P&DC.
 - (f) Shall have the authority to admit or exclude non-members from their meetings. They may require any member, official, or representative of an affiliated club to attend a meeting and respond to any questions posed. If such a member, official, or representative fails to attend after receiving due notice, and does not provide a reasonable excuse, they may, at the discretion of the M.C., be disqualified from participating in the affairs of the Association and from holding any position within the Association. For the purposes of this clause, 'due notice' is defined as a minimum of seven (7) days' notice prior to the meeting.
 - (g) The control and management of all finances and administration of the Association with the exception of any honorariums.
 - (h) The control and management of all competitions or matches conducted by the Association.
 - (i) To make such By-law not inconsistent with the rules as in the opinion of the M.C., are necessary or desirable for the proper control, administration and management of the Associations affairs, finances and interests. Any By-law made under this clause shall be put to the next succeeding general meeting (A.G.M.'s, S.G.M.'s, G.M.'s) for ratification or revocation
 - (j) Any person, team or member may appeal in writing against any decision of the M.C. to the Appeals Board
- 28.2 Shall elect delegates to the CNSW who shall represent the Association at all Delegates' Meetings of the CNSW and shall act in accordance with the following.
- (a) Shall introduce matter at the above meeting in accordance with notice of motion or letter from this Association
 - (b) Have the power to speak for the Association as directed by the Executive or M.C.
- 28.3 The M.C. shall have the power to appoint a;
- (a) **Chairman of Selectors** for a term not exceeding 12 months, commencing on 1st December and concluding on 30th November of the following year. The duties of the Chairman of Selectors shall align with the BC&DCA By-Law for Representative Cricket. The Chairman of Selectors shall report to the M.C. and/or Executive at the end of each selection process and as otherwise directed.
 - (b) **Director of Cricket** for a term not exceeding 12 months, commencing on 1st April each year and concluding on 31st March of the following year. The

duties of the Director of Cricket shall align with the BC&DCA By-Law for Representative Cricket. The Director of Cricket shall report regularly to the M.C. and/or Executive.

- (c) **Representative Co-Ordinator** for a term not exceeding 12 months, commencing on 1st April each year and concluding on 31st March of the following year. The duties of the Representative Co-Ordinator shall align with the BC&DCA By-Law for Representative Cricket. The Representative Co-Ordinator shall report to the M.C. and/or Executive as directed.
- (d) **Female Cricket Head Coach** for a term not exceeding 12 months, commencing on 1st April each year and concluding on 31st March of the following year. The duties of the Female Cricket Head Coach shall align with the BC&DCA By-Law for Representative Cricket. The Female Cricket Head Coach shall report to the M.C. and/or Executive as directed.

29 Removal of Management Committee Members

- 29.1 The association, in a general meeting, may by resolution remove any member of the Management Committee from office before the expiration of their term and may, by resolution, appoint a successor to hold office until the term of the removed member expires.
- 29.2 If a member of the Management Committee to whom a proposed resolution, referred to in subclause (1), relates, submits written representations (of reasonable length) to the Secretary or President and requests that these representations be communicated to the members of the Association, the Secretary or President may send a copy to each member. If the representations are not sent, the member is entitled to request that the representations be read aloud at the meeting at which the resolution is considered

30 Protests and Disputes Committee

- 30.1 The P&DC shall consist of the Senior Vice-President (Chairman), Junior Vice-President and three (3) members of the Management Committee (not more than one (1) member for anyone (1) club, the Senior Vice-President and Junior Vice-President clubs shall not be included in this). The Chairman shall have a casting vote only. A member of the BC&DCUA Inc. shall sit on the committee in an advisory capacity only and shall have no vote. No member of the Executive Committee of the BC&DCA shall sit on the Committee.

- 30.2 A quorum shall consist of three (3) members present (not including BC&DCUA Inc. representative). A member of the P&DC whose club/player(s) are in dispute shall not sit on the P&DC for that dispute.
- 30.3 The Chairman of the P&DC shall have the power to appoint new members to the P&DC at any time that the elected members are not available to make up the required quorum of three (3) members.
- 30.4 The Chairman of the P&DC shall call such meetings as are required as directed by the Honorary Secretary.
- 30.5 The Chairman shall have the power to appoint a suitable person as minute secretary, such appointment must be sanctioned by the M.C. at its first meeting after the co-option.
- 30.6 Should the Chairman be ineligible/unavailable to chair any P&DC then the members present shall elect one of their number to Chair the meeting.
- 30.7 The P&DC shall have the power to hear and resolve matters relating to;
- (a) Formal protests, disputes and complaints made by affiliated clubs, umpires, officials and members against clubs, officials, members and other persons arising from incidents occurring on the field and its surrounds under the jurisdiction of the BC&DCA Inc. Such protests, disputes and complaints shall include players and/or officials cited on the ground by an umpire.
 - (b) With the exception of a complaint logged by the Senior or Junior Competition Secretaries all such protests, disputes and complaints including umpire's reports must be in the hands of the Honorary Secretary of the BC&DCA Inc. not later than forty-eight (48) hours after the scheduled time for terminating play on the day on which the alleged conduct or behaviour occurred.
 - (c) Umpire's reports to be in the hands of the P&DC Chairman prior to the next ensuing P&DC meeting.
 - (d) The P&DC shall determine appropriate action and appropriate penalties when required. Any penalty imposed may include any combination of penalties (e.g. Suspension, Suspended Sentence, Fine or Bond) as the P&DC deems to be in the best interests of the Association.
- 30.8 The P&DC shall report all findings to the M.C. by the meeting following the P&DC, in writing for information only. The P&DC may, if they consider such action warranted refer any protest, dispute or complaint to the M.C for their action and/or reference.
- 30.9 The decisions of the P&DC shall be final, such only to appeals to the BC&DCA Inc. Appeals Board.
- 30.10 Players, Officials or other persons, suspended by the P&DC are ineligible to play or take part in any games or events under the control of the BC&DCA Inc.

- 30.11 Any suspension handed down by the P&DC shall be served in the matches under the control of the BC&DCA Inc. and only matches with the BC&DCA Inc. count as part thereof the suspension. **CNSW** rep. games do not count towards matches served on suspension.
- 30.12 Any suspension handed down by the P&DC which cannot be served in the current season due to the length of the sentence being longer than the length of the season remaining shall be carried over to the next season.
- 30.13 Any “Suspended Sentence” will automatically be served if any player, official or other person again appears before the P&DC and is found guilty during the time of the “Suspended Sentence”.
- 30.14 Any fines imposed by the P&DC shall be payable within twenty-one days of imposition.
- 30.15 Any bond imposed by the P&DC shall be payable within twenty-one (21) days of imposition. Such bond will be held by the Association for such period as the P&DC shall determine.
- 30.16 All parties to be advised forty-eight (48) hours prior to the P&DC meeting.

31 Screening Committee

- 31.1 The Screening Committee shall be appointed at G.M. or M.C. to inspect grounds, club officials, new clubs and report findings to the M.C.

32 Appeals Board

- 32.1 The Appeals Board shall consist of five (5) members, with a quorum of at least three (3) members. The board will be appointed by the Management Committee and/or Executive as needed and shall include at least three (3) members selected from the following categories, in order of priority: Club Presidents, Club Secretaries, Treasurers, Vice-Presidents, or Life Members. No members of the M.C. or P&DC shall sit on the board. Should a vacancy arise due to a member becoming ineligible, the vacancy will be filled by appointing a Club Secretary, President, or Treasurer willing to serve on the board.
- 32.2 All appeals shall be accompanied by a fee of \$100.00 to be refunded or retained at the discretion of the Appeals Board.
- 32.3 The Chairman of the Appeals Board to be elected from the five (5) nominated members at their first meeting.
- 32.4 The Chairman of the Appeals Board shall be responsible for calling such meetings of the Appeals Board as directed by the Honorary Secretary.

- 32.5 Appeals against decisions made by the P&DC or the M.C. by suspended players, officials, or other individuals must be submitted in writing, signed by an executive member of the suspended person's club, with a club **bank deposit** attached. The appeal must be received by the Honorary Secretary of the BC&DCA Inc. within forty-eight (48) hours of the advertised commencement time of the meeting at which the sentence was imposed. Appeals against other decisions of the P&DC or M.C. must also be submitted in writing, signed by an executive member of the suspended person's club, with a club cheque attached, and received by the Honorary Secretary of the BC&DCA Inc. within seven (7) days of the advertised commencement time of the meeting at which the decision was made.
- 32.6 The Appeals Board of the BC&DCA Inc. is the final avenue of appeal within the BC&DCA Inc. Further appeal may be made to the **CNSW** in line with their rules and regulations.
- 32.7 All parties to be advised forty-eight (48) hours prior to the meeting of the Appeals Board.

PART 4 GENERAL MEETINGS OF ASSOCIATION

33 Annual General Meetings

- 33.1 The association must hold its first annual general meeting within 18 months after its registration under the Act.
- 33.2 The association must hold its annual general meetings:
- (a) within 6 months after the close of the association's financial year, or
 - (b) within such later time as may be allowed by the Director-General or prescribed by the regulation.
- 33.3 The A.G.M. of the Association is, subject to the Act and to clause 26, to be convened on such date and at such place and time as the M.C. thinks fit. An A.G.M. must be specified as such in the notice convening it.
- 33.4 In addition to any other business which may be transacted at an A.G.M., the business of an A.G.M. is to include the following.
- (a) to confirm the minutes of the last preceding A.G.M. and of any S.G.M. held since that meeting
 - (b) to receive from the M.C. reports on the activities of the association during the last preceding financial year,

- (c) to elect office-bearers, ordinary committee members, life members and patrons of the association
- (d) to receive and consider any financial statement or report required to be submitted to members under the Act,
- (e) the consideration of Honorariums to nominated officials of the Association;
- (f) to confirm the accounting firm for the incoming cricket season.

- 33.5 At this stage the meeting shall continue to General Business including alterations to the Objects and Rules by special resolution. Only matters where appropriate notice has been given may be formally considered and voted on.
- 33.6 Clubs are entitled to be represented by two delegates, each carrying a single vote, to vote on their behalf. If General Business includes matters in respect of both senior and junior cricket different delegates may be appointed provided no club has more than two votes on any matter.

34 Special General Meetings

- 34.1 The M.C. may, whenever it thinks fit, convene a special general meeting of the association. An S.G.M. must be specified as such in the notice convening it.
- 34.2 The M.C. must convene a S.G.M:
- (a) By resolution carried by M.C. or G.M.
 - (b) By a decision of a majority of the Executive Committee.
 - (c) By a requisition to the Honorary Secretary in writing signed by the secretaries of at least three (3) member affiliated clubs.
 - (d) By the requisition in writing to the Honorary Secretary from a club whose application for affiliation has been rejected by the M.C.
- 34.3 A requisition of members for a special general meeting:
- (a) must state the purpose or purposes of the meeting, and
 - (b) must be signed by the members making the requisition, and
 - (c) must be lodged with the Secretary, and (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- 34.4 If the Committee fails to convene a S.G.M. to be held within one month after that date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made

the requisition may convene a S.G.M. to be held not later than three months after that date.

- 34.5 An S.G.M. convened by a member or members as referred to in sub-clause (4) must be convened as nearly as practicable in the same manner as general meetings are convened by the M.C. and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expense so incurred.
- 34.6 S.G.M.'s may be called for the following purposes only:
- (a) to deal with any revision, alteration or amendment to the Rules or Objects.
 - (b) to deal with any written notice of motion involving amendment, alteration or rescission of any resolution at M.C. or a general meeting.
 - (c) to deal with any matter of an urgent nature which cannot be held over to the next G.M.
- 29.7 Clubs are entitled to elect two delegates to vote on their behalf. If Business includes matters in respect of both senior and junior cricket different delegates may be appointed provided no club has more than two votes on any matter.

35 General Meeting

- 35.1 G.M. shall be divided into two (2) groups, one for senior competition and one for junior competition. Only those elected by their respective clubs as senior competition delegates shall be entitled to attend and vote at Senior Competition General Meetings. Only those elected by their respective clubs as junior competition delegates shall be entitled to attend and vote at Junior Competition General Meetings. G.M. may be held during the year as considered by the M.C. or the Executive Committee and may include a G.M. held bi-monthly during the season, and G.M. considered necessary from March to August each year
- 35.2 The order of business at a G.M. shall be;
- (i) Apologies;
 - (ii) Minutes of the previous G.M.
 - (iii) Business arising out of the Minutes;
 - (iv) Correspondence;
 - (v) Financial Reports;
 - (vi) Reports by Officials, Association Representatives, Umpires Association and others.
 - (vii) General Business

- 35.3 Any rescission motion arising must be in the hands of the Honorary Secretary not later than seven (7) days after the G.M.

36 Notice for General Meetings

- 36.1 The secretary must give each member notice of a general meeting:
- (a) if a matter to be determined at the meeting requires a special resolution - at least 21 days before the meeting, or
 - (b) otherwise - at least 14 days before the meeting.
- 36.2 The notice must specify:
- (a) the place and time at which the meeting will be held, and
 - (b) the nature of the business to be transacted at the meeting, and
 - (c) if a matter to be determined at the meeting requires a special resolution - that a special resolution will be proposed, and
 - (d) for an annual general meeting - that the meeting to be held is an annual general meeting.
- 36.3 The only business that may be transacted at the meeting is:
- (a) the business specified in the notice, and
 - (b) for an annual general meeting - business referred to in clause 33.4.
- 36.4 A member may give written notice to the secretary of business the member wishes to raise at a general meeting.
- 36.5 If the secretary receives a notice under subclause (4), the secretary must specify the nature of the business in the next notice calling a general meeting.

37 Quorum

- 37.1 No item of business is to be transacted at a G.M. unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- 37.2 One third of the members present (being members entitled under this constitution to vote at a (G.M.)) shall constitute a quorum for the transaction of the business of a G.M.
- 37.3 If within half an hour after the appointed time for the commencement of a G.M. a quorum is not present, the meeting:
- (a) if convened upon the requisition of members is to be dissolved, and
 - (b) in any other case is to stand adjourned to the same day of the following week at the time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by

written notice to members given before the day to which the meeting is adjourned) at the same place.

- 37.4 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least five) shall constitute a quorum.
- 37.5 Nonattendance by club delegates at a G.M. will result in the offending member club being subject to penalties decided by the Association from time to time.

38 Presiding member

- 38.1 The president or, in the president's absence, the Senior Vice-President, is to preside as chairperson at each general meeting of the association.
- 38.2 If both the President and the Senior Vice-President are absent or unwilling to act, the next available elected office bearer, in the order set out in clause 15.1(a), is to preside as chairperson at the meeting.

39 Making of Decision

- 39.1 A question at a G.M. of the Association is to be determined by either:
- (a) A show of hands, or
 - (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot – a written ballot.
- 39.2 If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 39.3 If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.
- 39.4 At a G.M. of the Association, a poll may be demanded by the Chairman or by not less than five (5) members present in person.
- 39.5 Where a poll is demanded at a G.M., the poll shall be taken;
- (a) immediately in the case of a poll which relates to the election of the Chairman of the meeting or to the question of an adjournment; or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the Chairman directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

40 Adjourned meetings

- 40.1 The chairperson of a G.M. at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place
- 40.2 If a G.M. is adjourned for fourteen days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 40.3 Except as provided in sub-clauses (1) and (2), notice of an adjournment of a G.M. or of the business to be transacted at an adjourned meeting is not required to be given.

41 Voting

- 41.1 A member affiliated clubs with four (4) or more teams shall be entitled to two (2) delegates, each entitled to one vote on any matter.
- 41.2 A member affiliated clubs with 3 or less teams shall be entitled to 1 delegate, entitled to one vote on any matter.
- 41.3 The affiliated Umpires association shall be entitled to 2 delegates, each entitled to one vote on any matter.
- 41.4 Life members shall be entitled to be a delegate, entitled to one vote on any matter.
- 41.5 No member of the Management Committee has a right to vote at an AGM, SGM or GM other than a casting vote exercised as Chairman of the meeting.
- 41.6 Nothing in (34.2) above will prevent a member of the Management Committee acting as a delegate on behalf of their club and voting accordingly.
- 41.7 In the case of an equality of votes on a question at a G.M., the chairperson of the meeting is entitled to exercise a second or casting vote.
- 41.8 A member is not entitled to vote at any G.M. of the association unless all money due and payable by the member has been paid. A member under suspension is not entitled to vote.
- 41.9 A member is not entitled to vote at any G.M. of the association if the delegate is under 18 years of age.
- 41.10 All votes shall be given personally.
- 41.11 Delegates must be nominated by each club. A club may also nominate an alternate delegate to attend and vote in the absence of the nominated delegate.

- 41.12 A delegate nominated as an alternate shall only be entitled to vote in the absence of an original delegate except that if a delegate shall be elected on the M.C., then one of the alternate delegates, so nominated, may take his place as the delegate of the club.
- 41.13 All members and delegates shall sign the attendance book, prior to taking part in the meeting, signifying their club where applicable and where applicable whether they are a voting delegate or alternate delegate.
- 41.14 Any resolution passed at any General Meeting shall take not take effect prior to the conclusion of the meeting.

42 Postal, proxy, electronic or combined ballots

- 42.1 Postal ballots are not permitted under any circumstances.
- 42.2 Proxy voting must not be undertaken at or in respect of a general meeting.

43 Special Resolutions

- 43.1 A special resolution may only be passed by the association in accordance with Section 39 of the Act
- 43.2 A resolution of the association is a special resolution if; it is passed by a majority which comprises not less than three-quarters of the club delegates present at a meeting and voting of which not less than twenty-one (21) days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules.

PART 5 ADMINISTRATION

44 Change of name, objects or constitution

44.1 An application for registration of a change in the association's name, objects or constitution made under the Act, section 10 must be made by:

- (a) the public officer, or
- (b) a committee member.

45 Funds

45.1 Subject to a resolution passed by the association, the association's funds may be derived from the following sources only:

- (a) the entrance fees and annual subscription fees payable by members,
- (b) donations,
- (c) other sources as determined by the committee.

45.2 Subject to a resolution passed by the association, the association's funds and assets must be used to pursue the association's objects in the way that the committee determines.

45.3 As soon as practicable after receiving money, the association must:

- (a) deposit the money, without deduction, to the credit of the association's authorised deposit-taking institution account, and
- (b) issue a receipt for the amount of money received to the person from whom the money was received.

45.4 A cheque or other negotiable instrument must be signed by 2 authorised signatories below:

- (a) President,
- (b) Honorary Treasurer or
- (c) Honorary Secretary.

Note: The Act, section 36 provides for the appointment of authorised signatories.

46 Insurance

46.1 The association may take out and maintain insurance as appropriate for the association's assets and liabilities.

47 Non-profit status

47.1 This clause reflects the requirements set out under the *Associations Incorporation Act 2009 (NSW)* and guidance from NSW Fair Trading. Incorporated associations must operate on a non-profit basis, meaning any income or property must be used

exclusively to promote the association's stated objectives. No part of the association's profits may be distributed to members, either directly or indirectly, except for legitimate reimbursements, reasonable remuneration for services actually rendered, or other permissible transactions as outlined under Clause 47. This ensures compliance with statutory obligations and maintains the association's eligibility as a not-for-profit entity under NSW law.

48 Service of notice

48.1 For the purpose of this constitution, a notice may be served on or given to a person:

- (a) by delivering it to the person personally, or
- (b) by sending it by pre-paid post to the address of the person, or
- (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

48.2 For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:

- (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
- (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.to an address specified by the person for giving or serving the notice.

49 Custody of records and books

49.1 Except as otherwise provided by this constitution, all records, books and other documents relating to the association must be kept in New South Wales.

- (a) at the association's main premises, in the custody of either of the following persons, as determined by the committee:
 - (i) the public officer
 - (ii) a member of the association, or
- (b) if the association has no premises - at the association's official address, in the custody of the public officer.
- (c) stored electronically in accordance with

- (i) the document is a legible copy of the original
- (ii) the document is not required to be kept as an original for any other purpose.

50 Inspection of records and books

- 50.1 The following documents must be available for inspection, free of charge, by members of the association at a reasonable time:
- (a) this constitution,
 - (b) minutes of committee meetings and general meetings of the association,
 - (c) records, books and other documents relating to the association.
- 50.2 A member may inspect a document referred to in subclause 50.1:
- (a) in hard copy, or
 - (b) in electronic form, if available.
- 50.3 A member may obtain a hard copy of a document referred to in subclause (1) on payment of a fee of not more than \$1, as determined by the committee, for each page copied.
- 50.4 The committee may refuse to allow a member to inspect or obtain a copy of a document under this clause:
- (a) that relates to confidential, personal, commercial, employment or legal matters, or
 - (b) if the committee considers it would be prejudicial to the interests of the association for the member to do so.

51 Financial year

- 51.1 The financial year of the association is:
- (a) the period of time commencing on the date of the incorporation of the association and ending on the following 31 March, and
 - (b) each period of 12 months after the expiration of the previous financial year of the association, commencing on 1 April and ending on the following 31 March.

52 Auditors

- 52.1 Two (2) auditors who need not be connected with the Association shall be appointed at the A.G.M. each year.
- 52.2 No person who held office as Honorary Treasurer during any portion of a year for which the accounts are to be audited shall be eligible for appointment as auditor.

53 Alterations to the Rules and Objects

- 53.1 The statement of objects and this constitution may be altered, rescinded or added to only by a special resolution of the association

54 Common Seal

- 54.1 The common seal of the Association shall be kept in the custody of the Public Officer.
- 54.2 The common seal shall not be affixed to any instrument except with the authority of the Committee. The affixing of the common seal shall be attested by the signatures of either two (2) members of the Executive Committee and the Public Officer or the Honorary Secretary

55 Distribution of property on winding up

- 55.1 Subject to the Act and the Regulation, in a winding up of the association, the surplus property of the association must be transferred to another organisation:
- (a) With similar objects, and
 - (b) Which is not carried on for the profit or gain of the organisation's members.
- 55.2 In this clause: **surplus property** has the meaning as in the Act, section 65.

56 Affiliation of Clubs

- 56.1 Any club wishing to participate in competitions or matches conducted by the Association shall apply in writing to the Honorary Secretary for affiliation.
- 56.2 Application Fee: Each application for affiliation shall be accompanied by the appropriate Affiliation fee. In the event of any application being subsequently rejected the Affiliation fee.
- 56.3 Determination of Fees: Affiliation, Registration and other fees shall be determined each year at the A.G.M. on the recommendation of the M.C.
- 56.4 Registration Fees: Upon acceptance of a club's application all Registration Fees shall be paid by 30 November, each year.
- 56.5 Affiliation of Clubs: Each club shall upon affiliation supply to the Association the names of its office bearers together with the addresses and the ground(s) they will be using.
- 56.6 Affiliation of New Clubs: New clubs to the Association shall also supply a copy of their Rules and Objects to the M.C. on their application to be affiliated.
- 56.7 Existing Facilities: New clubs shall not be admitted to the Association if, in the opinion of the M.C., there already exists sufficient and adequate facilities in the immediate area for such teams and players.

- 56.8 Resignations: Any club wishing to resign from the Association shall notify the M.C. in writing. No resignation will be accepted until the club has fulfilled its financial obligations.
- 56.9 Any new club wishing to affiliate with the BC&DCA Inc. should encourage junior cricket within Blacktown (up to and including the Under 17 age groups).
- 56.10 Each club shall upon affiliation, be supplied with a copy of the Objects and Rules of the Association.
- 56.11 All clubs must show proof of being incorporated with the Department of Fair Trading.

57 Scope of Jurisdiction

- 57.1 The association shall affiliate with the **CNSW** or its successors and shall adopt the laws of the game and any decisions, interpretations and amendments thereof, approved by that controlling body.
- 57.2 The jurisdiction of the association shall cover all association officials, clubs, teams, players, grounds, and matches within its boundaries.
- 57.3 The Umpire's association is responsible to the BC&DCA Inc. for the conduct of all its registered members.
- 57.4 The jurisdiction of the association may be extended beyond its boundaries by arrangements with other cricket associations with the approval, if necessary, of **CNSW**. Jurisdiction shall also cover players representing this association in matches or competitions played outside its boundaries

58 Changing of By-laws

- 58.1 A proposed rule change in either the Junior or Senior competition can have the wording of the proposed rule change, modified on the day of voting if agreed to by two-thirds of the representatives at the SGM. If a change is made to the proposed rule a vote must then be taken on the re worded rule change which must still have a majority, which comprises not less than two-thirds of club delegates present and voting at a meeting, to pass.
- 58.2 The by-laws of the association can be changed by a resolution passed by a majority which comprises not less than two-thirds of club delegates present and voting at a meeting of which not less than twenty-one (21) days written notice specifying the intention to propose the resolution as a resolution was given in accordance with these rules.

Blacktown City & District Cricket Association Inc.

By-laws

- 1 The Executive Committee shall have the power to remove from office any office bearer, a member of the Executive Committee, or cancel life membership of any member who to its opinion is unfit to hold such office. Such members shall have the right of appeal to a G.M. called for the purpose
- 2 Each Club or Association must nominate an official who will be registered with and responsible to the BC&DCA Inc. on behalf of the managers of his/her Club or Association
- 3 Entries shall be made in writing on the proper form to the Honorary Secretary of the Association, and shall be accompanied by an affiliation fee, to be decided upon from time to time. Such fees to be paid prior to the drawing of the first series of matches in each season. It shall be competent for the Association to admit any team free of all fees, etc.
- 4 Clubs withdrawing a team or teams from the Competition after the completion of the draw is made each season must pay the appropriate Affiliation Fee for each team withdrawn.
- 5 Club Secretaries, at the commencement of each season, must forward player nomination forms for each team, containing;
 - (a) Each player's full name
 - (b) Phone number
 - (c) Email address
 - (d) Residential address
 - (e) Previous season stats
 - (f) Previous season grade
 - (g) and any other information the competition secretaries requires to help grade the team on the proper form, to be in the hands of the Honorary Secretary, by the date set down for competition entries. These registration forms shall be used for the purpose of grading teams.

A registration fee fixed by the A.G.M. from time to time must accompany such registrations.

Registrations made subsequent to the grading of teams must be in the hands of the Honorary Secretary in time for consideration of the Executive Meeting held prior to

the first match in which the player is to play and a registration fee of \$10.00 will apply to and must be submitted with each registration in this category, or of a graded player, or an ungraded player who wishes to drop back a grade, required prior to the completion of the second match

Registration in this category shall only permit a player to play according to his individual grading. Where such grading does not apply or for special reasons, the Executive shall have power to grant a permit to play under the principles set down under grading rules.

The register of registrations shall be laid on the table by the Honorary Secretary for inspection at all Executive Meetings, and the Executive Committee shall review all new registrations. Where approval is given a player shall be deemed to be registered on the day that the Honorary Secretary receives his name and address in writing.

It is the Club's responsibility to check with the Association Registrar to ascertain whether or not registration of a player has been approved.

- 6 Each team may be required to nominate a player to attend lectures on the rules each season at the discretion of the Executive Committee

A player who has played during the current season and desires to transfer to another Association or to a District Club shall not do so unless he/she first obtains a clearance from the Association with which he/she is playing. Such clearance shall be issued within seven (7) days of receipt of a written application therefore and shall be withheld only on the grounds that the player is unfinancial.

Applications for registration of players in this category must be in the hands of the Honorary Secretary for consideration at the Executive Committee Meeting to be held prior to the match in which the player is required.

Clearance from former Association or District Club must also be submitted.

Registrations in this category will not be approved if any competition from which the player is transferring is in recess for any reason whatsoever or the team from which he/she is transferring has a bye in the relative competition.

- 7 All trophies and property of the Association shall be vested in the President, for the time being, as trustee.

- 8 All matters in connection with honorarium shall be dealt with by the A.G.M. on the recommendation by the Executive.
- 9 For the purpose of publicity, the official organ of the Association shall be such publication as shall from time to time be determined by the Executive Committee, having regard to publicity coverage made available to the Association. Due notice of any change in publicity arrangements shall be given to all Club Secretaries and all information published relating to the Association and endorsed by the Honorary Secretary of the Association shall be deemed to be an official notification
- 10 A separate club championship to be conducted for both senior and junior competitions.
- 11 For a club to be eligible for the Junior Club Championship they must have a minimum of four(4) junior teams playing. Hence same for seniors.
- 12 All scorebooks to be available to the Association Committee at any time.
- 13 Any player or person affiliated with the BC&DCA Inc. found to be consuming alcohol at a game of cricket, while on the playing fields or its surrounds, will be dealt with by the Association in the following manner
- (a) Suspension and/or loss of points and/or fined as deemed fit by the Association. A minimum suspension of twenty-one(21) playing weeks will be imposed upon any player or person affiliated with the BC&DCA Inc. who is found guilty of consumption of alcohol under this rule.
- 14 Any club un-financial after 30 November each year will be penalised thus:
- (a) loss of one (1) competition point from each of their teams for each week (or part thereof) the club remains un-financial. Points lost in this manner will NOT be retrievable once lost.
- 15 The Association Constitution and all By-laws shall be dated before the start of each Season and listed on BC&DCA web site.
- 16 Where a dispute on a match result exists the Executive shall have the power to reject any scorebook or books in which it is considered the scores have been incorrectly kept.

- 17 All clubs are responsible for the correct identification of players appearing on the registration sheets, submitted prior to and during the seasons.
- 18 Umpires shall be appointed by the BC&DCUA Inc;
(a) Where the BC&DCUA Inc. does not have sufficient umpires to appoint to Semi-final and Final matches of both the Junior and Senior Competition, the BC&DCA Inc will provide the balance of umpires to be appointed to the remaining matches.
- 19 If the umpires are not present at the specified time of commencing a match, the match may proceed in accordance with the rules.
- 20 All requests for umpires must be in writing, stating reasons for request, and forwarded to the Honorary Secretary of the BC&DCUA Inc.
- 21 All scorebooks must have a copy of all relevant rules attached to the cover.
- 22 Where possible, with money allowing and coaches being available the BC&DCA Inc. shall nominate two junior teams for each age group in the **CNSW** Inter-Shell District Competition.
- 23 The Executive shall have power to deal with any matters not embodied in the foregoing rules.
- 24 Junior and Senior Competition Rules shall also be considered By-laws of the BC&DCA Inc.
- 25 The Code of Behaviour shall also be considered a By-law of the BC&DCA Inc.
- 26 To be eligible for selection in BC&DCA Representative Teams the following shall apply;
(a) All players must be registered with a club affiliated with the BC&DCA Inc
(b) Any player registered with the Blacktown District Cricket Club (Grade) will be considered registered with the BC&DCA Inc provided they have given at least 1 season service to the BC&DCA Inc;
(c) Any player playing Junior cricket in another Association who is registered and playing with a Senior club in the BC&DCA Senior Competition will only be eligible for selection when an insufficient number of juniors playing in the BC&DCA Junior Competition try out. (these players will not be selected ahead of a BC&DCA Junior Competition player)
(d) Any player U17 or below not playing Juniors in another Association who is registered and playing Seniors in the BC&DCA Inc Senior Competition will be eligible providing they

meet the requirements of Senior Competition Rule 30 (a) to (e).

- 27 All matters relating to the behaviour and conduct of;
- (a) players, parent(s) & carer(s) of a junior player(s) and
 - (b) members of the Blacktown City & District Cricket Umpires Association Inc. and
 - (c) members, officials and office-bearers of affiliated clubs and associations participating in or in attendance at competitions or matches conducted under the control of the BC&DCA Inc. shall be considered by the Protest & Disputes Committee appointed by the BC&DCA Inc. And comprising such members and persons that the BC&DCA Inc. deems fit.
- 28 A player in a BC&DCA Representative side who has not paid their fees before the second representative match in a season is suspended from all BC&DCA matches, including representative games, until the fees are paid. (Added 8/8/2012)
- 29 Suspension guideline list for Protest and Dispute committee hearings.
Changes may be added under strict adherence to the constitution rule 30.7
(d). (Refer to Appendix I)
- 30 Each club that Senior team(s) shall provide a minimum of two (20 suitably qualified members to Umpire Semi-Final matches.
Each club that Junior team(s) shall provide a minimum of two (20 suitably qualified members to Umpire Semi-Final matches.

Document Version History

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- Approved: [insert date]
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Appendix I

No#	Charge	Minimum Suspension	Early Guilty Plea
1	Abuse or threaten a player or spectator	5 matches	3 matches
2	Verbal abuse of an umpire or BCDCA official	12 matches	10 matches
3	Verbally threatening an umpire or BCDCA official	21 matches	16 matches
4	Racial vilification of a player, spectator or official	14 matches	Referred straight to P&D
5	Physical assault of a player, spectator or club official	5 full seasons	Referred straight to P&D
6	Physical assault of a umpire or BCDCA official	30 full seasons	Referred straight to P&D
7	Captain failure to control his team	5 matches	Referred straight to P&D
8	Captain lists unqualified player on a team sheet	4 matches	3 matches
9	Captain lists unregistered player on a team sheet	6 matches	5 matches
10	Captain lists player under a false name	1 full season	Referred straight to P&D
11	Dispute Umpires decision by word, mouth or action	4 matches	3 matches
12	Any breach of the code of conduct outside listed charges	4 matches	Referred straight to P&D
13	Player playing unregistered	6 matches	5 matches
14	Player playing under an assumed name	1 full season	Referred straight to P&D
15	Attempt to assault an umpire	3 full seasons	Referred straight to P&D
16	Attempt to assault a player or spectator	1 full season	Referred straight to P&D
17	Attempt to assault a BCDCA or club official	2 full seasons	Referred straight to P&D
18	Orally abuse an umpire, such as teasing, name calling, taunting	1 full season	Referred straight to P&D
19	Orally abuse a player, spectator such as teasing, name calling, taunting	8 matches	6 matches
20	Orally abuse an official of the BCDCA, such as teasing, name calling	12 matches	8 matches
21	Bring the game into disrepute	7 matches	5 matches
22	Dishonour or embarrass the name of the BCDCA	10 matches	8 matches
23	Failure to attend representative match without reasonable cause	3 matches	2 matches
24	Consume alcohol at a match by a player, coach or manager	1 full season	Referred straight to P&D
25	Attempt match fixing or contriving a result	2 full seasons	Referred straight to P&D
26	Captains changing a match status from 2 day to 1 day to 20/20 etc.	4 matches	Semis & finals excluded
27	Captain whose team fails to turn up for 2 nd day of 2 day match	4 matches	Semis & finals excluded
28	Person that deliberately enters false stats into PlayHQ for deception	1 full season	Referred straight to P&D