



# NORTH SUBURBAN COMMUNITY CRICKET ASSOCIATION INC.

## CONSTITUTION

### **1. DESIGNATION**

- a. The Association shall be called the North Suburban Community Cricket Association Inc.
- b. The official colours of the Association shall be maroon and gold, with a design as shall be determined from time to time by the Executive
- c. The headquarters for the Association shall be the cricket clubrooms at Princess Wallington Reserve, Balga at which place all memorabilia, honour boards and perpetual trophies shall be displayed

### **2. ARRANGEMENT**

- |                                  |                                       |
|----------------------------------|---------------------------------------|
| 1. Designation                   | 19. Order of Business                 |
| 2. Arrangement                   | 20. Notice of Motion                  |
| 3. Interpretation of Terms       | 21. Voting                            |
| 4. Objects                       | 22. Payments of Accounts              |
| 5. Powers                        | 23. Bank Account                      |
| 6. Membership                    | 24. Financial Records                 |
| 7. Affiliated Incorporated Clubs | 25. Income and Property               |
| 8. Expulsion of Clubs            | 26. Inspection of Books and Documents |
| 9. Subscriptions                 | 27. Life Members                      |
| 10. Office Bearers               | 28. <b>Reports &amp; Appeals</b>      |
| 11. Duties of Office Bearers     | 29. Fines                             |
| 12. Removal from Office          | 30. Clubs Disbanding                  |
| 13. Executive Committee          | 31. Bylaws Committee                  |
| 14. General Committee            | 32. Grading Committee                 |
| 15. Clearance Committee          | 33. Alteration of Rules               |
| 16. Umpires Committee            | 34. Interpretation                    |
| 17. Meetings                     | 35. Dissolution of Association        |
| 18. Quorum                       |                                       |

### **3. INTERPRETATION OF RULES**

The following terms shall bear the respective meanings wherever used in these Rules, unless inconsistent with the context:

- a. "Association" shall mean the North Suburban Community Cricket Association Inc.
- b. "Club" shall mean an Affiliated Incorporated Club
- c. "Executive" shall mean the Executive Committee
- d. "Delegate" shall mean the properly appointed representative/s of Affiliated Incorporated Clubs and Association of Cricket Umpires
- e. "Rules" shall mean the Constitution, Bylaws and Regulations of the Association
- f. "Act" shall mean the Associations Incorporation Act 2015

### **4. OBJECTS**

The objects of the Association shall be:

- a. To promote and control inter-club competition between the clubs
- b. To control and manage all teams representing the Association
- c. To provide such facilities for competition as are within its power
- d. To encourage and foster the game of cricket in every way possible

## **5. POWERS**

The powers of the Association shall be:

- a. To control and manage all grounds, and other property or other premises, vested in the Association
- b. To determine, from time to time, the conditions of which, and times when, members or others may use grounds, or other property or premises vested in the Association
- c. To invest and expend the property and income of the Association in such a manner as the Association considers most beneficial for the purpose of its Objects
- d. To conduct activities and raise charges to obtain funds for the purpose of financing the achievement of the Objects of the Association
- e. To employ and dismiss all employees as may be necessary and pay such remuneration as the Association may think fit
- f. To pay annual honorariums to Office Bearers (where noted in Rule 11) at the rates approved by the General Committee at the commencement of each financial year; honorariums are to be distributed in two instalments, the first being in December each year and the second in March of the following year
- g. To affiliate with, establish or support, or aid in the establishment or support of any other Association, Society, Fund or Movement, which is calculated to benefit, or promote the game of cricket
- h. To make such bylaws and regulations as may be thought desirable with reference to the conduct of the Association, but such bylaws and regulations shall not be inconsistent with these Rules or the Act
- i. To impose such fines and penalties as may be incurred under the Rules
- j. To do all such other acts or things as may be deemed necessary for the welfare and benefit, and in the interest of the Association

## **6. MEMBERSHIP**

- a. The Association shall consist of Office Bearers, Life Members, Clubs including their members and officials and the Umpires Association including their members and officials
- b. The minimum age for membership is 14 years of age
- c. The financial year shall commence on 1<sup>st</sup> August each year and end on 31<sup>st</sup> July of the following year

## **7. AFFILIATED INCORPORATED CLUBS**

All clubs not especially debarred by these Rules, and/or by the Rules of any other body with the Association from time to time may be affiliated or connected with, shall be eligible to become members of the Association, subject to the following:

- a. Any club desiring to become an affiliated club shall apply in writing to the Secretary
- b. Any such application shall be signed by the Secretary of the club, and shall contain the following:
  - i. Name of the club
  - ii. Confirmation of incorporation of the club
  - iii. Names of office bearers, officials and members of the club at the time of application
  - iv. Number of teams proposed to enter in the Association competition, provided that such number shall not equal or exceed the number of grades within that seasons competition as determined each year by the Association
  - v. Names and contact details of two delegates to the Association
  - vi. Official colours of the club
- c. Any club applying for admittance to the Association, as an affiliated club shall pay an application fee as determined, from time to time, by the Executive. Such application fee shall be the fee set for 1 team in the financial year in which the application is received
- d. On admittance to the Association an affiliated club and all the members and officials thereof shall, in all respects, be bound by the Rules. A copy of the Rules will be provided to each club, which, in turn, assumes the responsibility for distribution of the Rules to each of its members and officials
- e. Clubs desiring to continue with the Association shall lodge with the Secretary prior to 1<sup>st</sup> August each year, a notice in writing, nominating the numbers of teams to be entered, proposed grades of the teams to be entered, the names and contact details of the clubs office bearers and 2 delegates to the Association
- f. Confirmation of the number of teams for the coming season, must be submitted by 10<sup>th</sup> September of the same year. Once confirmed team numbers are submitted the club will remain liable for that seasons levied subscriptions

## **8. EXPULSION OF CLUBS**

- a. The Executive, on receiving a complaint in writing against any club, signed by a minimum of 50% of the affiliated clubs, shall cause a Special General Meeting to be called, at which the expulsion of the said club shall be balloted for
- b. A 75% majority of those present and voting being necessary to give effect to any expulsion

- c. 7 days written notice of such meeting, requesting the office bearers of the club against which the complaint is made, to attend the meeting and setting out the nature of the complaint, shall be sent to the club
- d. Should a club be expelled in accordance with Rule 9 (e)(iii), then said meeting shall not be required

## **9. SUBSCRIPTIONS**

- a.
  - i. The annual affiliation subscriptions shall be an amount determined by the Executive
  - ii All clubs shall be liable to pay compulsory insurance cover for each of their teams entered with the insurance company advised from time to time by Cricket Australia
- b. A club shall pay the annual affiliation subscription, which shall include scaled administration fees for each team nominated in accordance with Rule 7(f), presentation night tickets (2 per team), Patrons Cup competition entry fees, fines imposed and other minor levies that may, from time to time, be applied
- c. The Association of Cricket Umpires shall pay an annual affiliation subscription amount which shall be no more than 50% of a club annual subscription for a 1<sup>st</sup> team
- d. An account will be sent by the last week of October each year. 50% of the amount will be due by 30<sup>th</sup> November each year and the balance by 31<sup>st</sup> December of the same year. No reminder accounts will be issued
- e.
  - i. Upon failure to pay the affiliation subscription by either of the due dates, a club, the members and officials thereof will be deemed unfinancial and will become ineligible to compete in the Association competition, except if special arrangements for payments have been made with, and approved by the Executive
  - ii. The Association shall require proof of payment. Payments are to be lodged directly into the Association bank account. Payment made by any other means shall not be accepted
  - iii. Penalty for late payment - for every 7 days past either of the due dates that the annual affiliation subscriptions are not paid, a fine of \$100.00 will be incurred, to a maximum of 28 days past due date, at which time the club shall be expelled from the Association
- f. Annual affiliation subscriptions occurring in this Rule shall mean subscriptions covering the period from 1<sup>st</sup> August and ending on 31<sup>st</sup> July of the following year

## **10. OFFICE BEARERS**

- a. The office bearers of the Association shall be:
  - i. President
  - ii. Senior Vice President
  - iii. Junior Vice President
  - iv. Secretary
  - v. Treasurer
  - vi. Registrar
  - vii. Umpires Advisor
  - viii. Web Master
  - ix. A minimum of 5 General Executive Members
- b.
  - i. All office bearers, except the Umpires Advisor, shall be elected for a term or two years
  - ii. Elections shall take place at the Annual General Meetings
  - iii. The President, Junior Vice President, Treasurer, Web Master and 3 General Executive Members shall be elected on alternate years to the Senior Vice President, Secretary, Registrar and the other General Executive Member/s
  - iv. Should any position become vacant for any reason during a two-year tenure of office, then the Executive shall fill that position, but the new appointee shall only serve out the remainder of the original term
  - v. Office bearers need not necessarily be members of a club
- c. If no person has been elected to the positions of Secretary, Treasurer or Registrar, the Executive may, at their discretion, employ and remunerate a person who, on appointment, shall become a member of the Executive
- d. All office bearers shall be a minimum of 18 years of age at the commencement of each financial year
- e. Section 39 of the Act determines eligibility to accept an appointment as an office bearer

## **11. DUTIES OF OFFICE BEARERS**

### **a. PRESIDENT:**

The President shall:

- i. Preside at all Executive and General Committee Meetings, and Special and Annual General Meetings, and shall ensure that the business is conducted in a proper manner, and in accordance with the Rules. At any such meeting he shall reserve the right to vote last on any matter

- ii. Cause to be called an unscheduled Executive or General Committee Meeting in cases of emergency and shall generally ensure the attainments of the Associations Objects
  - iii. Attend all Cricket West Inc. meetings as representative of the Association
  - iv. Receive an annual honorarium in accordance with Rules 5(f) and 14(c)
  - iii. Perform the duties of Team Manager for one of the Association representative teams competing in the Cricket West Inter-Association competition when required
  - iv. Have the right to speak at meetings
  - v. Be a member of the Upper Executive Committee
  - vi. Should any matter arise, or be brought to the attention of the President or Secretary, which in their opinion, is not of sufficient importance to warrant an Executive or General Committee meeting, they shall have the power to deal with such matters at their discretion. In the event of their disagreement on any urgent question, it can only be dealt with by referral to the Executive
- b. SENIOR VICE PRESIDENT:**  
The Senior Vice President shall:
- i. Assist the President in his duties
  - ii. In the event of the President's absence, the Senior Vice President shall act in the capacity of the President, and for such purposes shall exercise all the powers and authority of the President
  - iii. Receive an annual honorarium in accordance with Rules 5(f) and 14(c)
  - iv. Perform the duties of Team Manager for one of the Association representative teams competing in the Cricket West Inter-Association competition when required
  - v. Have the right to speak at meetings
  - vi. Be a member of the Upper Executive Committee
  - vii. Be a member of the Umpires Committee
- c. JUNIOR VICE PRESIDENT:**  
The Junior Vice President shall:
- i. Assist the President in his duties
  - ii. In the event of the absence of the President and the Senior Vice President shall act in the capacity of the President, and for such purposes shall exercise all the powers and authority of the President
  - iii. Receive an annual honorarium in accordance with Rules 5(f) and 14(c)
  - iv. Perform the duties of Team Manager for one of the Association representative teams competing in the Cricket West Inter-Association competition when required
  - v. Have the right to speak at meetings
  - vi. Be a member of the Upper Executive Committee
- d. SECRETARY:**  
The Secretary shall:
- i. Be responsible for the correct taking and recording of Minutes at Executive, General, Special General, Annual General and Reports and Appeals meetings
  - ii. Receive an annual honorarium in accordance with Rules 5(f) and 14(c)
  - iii. Have the right to speak at meetings
  - iv. Receive and record all correspondence
  - v. Sign all outward correspondence
  - vi. Perform any other clerical work required by the Association
  - vii. Be a member of the Upper Executive Committee
- e. TREASURER:**  
The Treasurer shall:
- i. Keep an account of all monies received and expended
  - ii. Issue invoices and accounts at the times stipulated in these Rules
  - iii. Present or have presented, at each General Committee Meeting, a financial statement and a statement of all outstanding creditor accounts for approval of payments
  - iv. Receive an annual honorarium in accordance with Rules 5(f) and 14(c)
  - v. Have the right to speak at meetings
  - vi. Prepare a statement of Income and Expenditure for presentation at the Annual General Meeting of the Association in accordance with Rule 24
  - vii. Prepare and present at the commencement of each financial year, a budget forecast of expected income and expenditure
  - viii. Be a member of the Upper Executive Committee
- f. REGISTRAR:**  
The Registrar shall:
- i. Register all playing members of a club after being satisfied about the eligibility of the players to play in matches conducted by the Association

- ii. Maintain a record of all players registered by each club
- iii. Maintain a register of members
- iii. Review and check all team lists entered into PlayHQ
- iv. Review and check all match reports entered into PlayHQ, and advise the Executive of premiership points allocated
- v. Review and check all umpire reports entered into PlayHQ and advise the Executive of fielding points allocated
- vi. Advise any offending club and the Executive of any irregularities, and advise the Treasurer of any fines or penalties to be imposed as noted in the Rules
- vii. Receive an annual honorarium in accordance with Rules 5(f) and 14(c)
- viii. Have the right to speak at meetings
- ix. Be a member of the Upper Executive Committee

**g. UMPIRE'S ADVISOR:**

The Umpire's Advisor shall:

- i. Maintain a record of all umpires registered with the Association
- ii. Review all umpire reports and advise the Executive of umpires points allocated at each Executive Meeting
- iii. Receive an annual honorarium in accordance with Rules 5(f) and 14(c)
- iv. Attend meetings of the Association of Cricket Umpires as a representative of the Association
- v. Have the right to speak at meetings
- vi. Be a member of the Upper Executive Committee
- vii. Allocate umpires to matches using the PlayHQ function
- viii. Provide training & support to umpires on match day reporting and Reports & Appeals minimum requirements
- ix. Set up and undertake generic rules testing of umpires and collate/present results a minimum of two times per season

**h. WEB MASTER:**

- i. Undertake all duties necessary to update/upkeep the Association web site and social media page
- ii. Receive an annual honorarium in accordance with Rules 5(f) and 14(c)
- iii. Have the right to speak at meetings

**i. GENERAL EXECUTIVE MEMBERS (5 minimum):**

The General Executive Members shall:

- i. Assist the other office bearers in their duties
- ii. Have the right to speak at meetings
- iii. Be appointed to subcommittees as determined at the commencement of each season

**12. REMOVAL FROM OFFICE**

- a. The Association may remove from office any office bearer, subcommittee member or delegate for misconduct or any other act or acts not calculated to be in the best interest of the Association
- b. Action under this rule may only be taken at a Special General Meeting called for this purpose, and a 75% majority of the members present and voting shall be necessary to give effect to any such resolution
- c. Any vacancy, or vacancies thus created shall be filled, if possible, at the same meeting

**13. EXECUTIVE COMMITTEE**

- a. The management of the Association shall be vested in the elected Executive, which shall be divided into Upper and Lower executive members
- b. The Upper Executive shall consist of the President, Senior Vice President, Junior Vice President, Secretary, Treasurer, Registrar and Umpires Advisor, the remaining members shall form the Lower Executive
- c. The Executive shall contain no more the 3 currently active committee members from any club at any time with no more than 2 on the Upper Executive
- d. Unless otherwise directed, the Executive may exercise all such powers of the Association and carry into effect all such Objects of the Association as are not by these Rules required to be exercised by the Association at an Annual General Meeting
- e. In addition to the exercise of the general powers conferred in (d) above, the Executive, in its absolute discretion shall have the power to:
  - i. Determine all applications for affiliation
  - ii. Determine the annual affiliation subscriptions
  - iii. Appoint a Grading Committee in accordance with Rule 32
  - iv. Draw up a programme of fixtures annually including any day/night fixtures, knockout competition or other competitions as from time to time may be decided

- v. Allocate grounds for all matches
  - vi. Allocate premiership points in accordance with the bylaws
  - vii. Compile averages/aggregates in accordance with the bylaws and award all trophies at the disposal of the Association
  - viii. Appoint a Clearance Committee in accordance with Rule 15
  - ix. Appoint an Umpires Committee in accordance with Rule 16
  - x. Fill any vacancy on the Executive between Annual General Meetings
  - xi. Levy contributions from clubs if it so deems necessary
  - xii. Recommend any person to be elected Life Member in accordance with Rule 27
  - xiii. Appoint a Reports & Appeals Committee in accordance with Rule 28, and give power to said Committee to impose penalties as specified in the Rules
  - xiv. Appoint a Bylaws Committee in accordance with Rule 31
  - xv. Appoint a Secretary, Registrar or Treasurer when required, in accordance Rule 10(c)
  - xvi. Determine the result of a forfeit, in accordance with the bylaws
  - xvii. Draw up a list of approved cricket balls annually
  - xviii. Cause a scoring clinic to be held annually if deemed necessary
  - xix. Have the power to impose penalties such as but not limited to - reprimand, disqualification, suspended sentence, good behaviour bond (to a maximum of \$500.00 on clubs or \$100.00 on individuals), fines (to a maximum of \$500.00 on clubs, or \$100.00 on individuals), and/or as stipulated in the Sentencing Guidelines section of the bylaws
  - xx. Determine all applications for grants and/or loans to clubs which may only be distributed from Cricket West Game Development monies in accordance with Rule 25(c)
  - xxi. Add or delete, from time to time as deemed necessary, general policy documents/guidelines including but not limited to: social media, racial vilification, gender discrimination, Patrons Cup rules, and the like, which when enacted, will form part of these Rules and shall be binding on all members until repealed. The inclusion of any new policy document shall be confirmed at the commencement of each financial year and shall be in effect until formally repealed
  - xxii. Determine Umpires payments in accordance with bylaw 27.6
- f. Should any matter arise, or be brought to the attention of the President or Secretary, which in their opinion, is not of sufficient importance to warrant an Executive or General Committee Meeting, they shall have the power to deal with such matters at their discretion. In the event of their disagreement on any urgent question, it can only be dealt with by referral of the Executive
- g. Any member of the Executive who absents themselves from 3 consecutive meetings, without first having obtained leave of absence from the Executive, shall automatically forfeit the position and be ineligible for re-appointment during the current financial year

#### **14. GENERAL COMMITTEE**

- a. The Executive, together with a minimum of 1 or a maximum of 2 delegates representing each club and Association of Cricket Umpires shall constitute the General Committee
- b. Subject to Rule 13(e), the General Committee may direct the Executive to do all such things which it deems necessary, proper and expedient to carry into effect the Objects of the Association
- c. The General Committee shall determine the annual honorariums payable to office bearers, in accordance with Rules 5(f) and 11(a) to (h)
- d. A delegate unable to attend a General Committee Meeting may be represented by a proxy, whose authority to attend must be submitted in writing to the Secretary, provide always that no member of a club shall act as a proxy for a delegate for another club
- e. Any delegate who absents themselves from 3 consecutive meetings of the General Committee, without first obtaining leave of absence from the Executive, shall automatically forfeit the position, which shall remain vacant until the next Annual General Meeting, provided that a delegate shall not be deemed to have been absent without leave if represented by a proxy

#### **15. CLEARANCE COMMITTEE**

- a. A subcommittee of 3 members of the Executive, comprised of the Registrar who shall act as chairman and 2 other Executive members shall constitute the Clearance Committee
- b. The 2 additional members of the Clearance Committee shall be elected by the Executive

#### **16. UMPIRES COMMITTEE**

- a. The Umpires Committee shall, at its discretion, allocate umpires to Association matches
- b. The Umpires Committee shall consist of the Umpires Advisor, who shall act as Chairman, the Senior Vice President and a member of the Umpires Association Committee



## **17. MEETINGS**

### **a. EXECUTIVE COMMITTEE**

Once elected, the Executive shall meet at least once a month during the period from 1<sup>st</sup> August until the 31<sup>st</sup> March in the following year, and as often as is deemed necessary outside this period, of which not less than 7 days written notice shall be given by the Secretary

### **b. GENERAL COMMITTEE**

During the period from 1<sup>st</sup> August until the 31<sup>st</sup> July in the following year the General Committee shall meet a minimum of 4 times, of which not less than 7 days written notice shall be given by the Secretary

### **c. CLEARANCE COMMITTEE**

The Clearance Committee shall meet, if required, prior to the commencement of each match day

### **d. ANNUAL GENERAL**

The Annual General Meeting, of which not less than 21 days written notice shall be given by the Secretary, shall be held not later than the first week in July each year

### **e. SPECIAL GENERAL**

A Special General Meeting of the Association may be convened by notice of the Executive, or by notice signed by at least 20% of the clubs; such notice is to state the business proposed to be dealt with and only that business may be discussed at the meeting. The Executive shall fix the date of the Special General Meeting, but not more than 21 days shall elapse from the date of the notice. The Secretary shall provide 7 days written notice of the meeting and such notification shall list the agenda and particulars of the business to be dealt with

### **f. REPORTS & APPEALS COMMITTEE**

3 persons shall be appointed each year, by the Executive, to hear all charges laid against any member, and shall meet in accordance with Rule 29. The Reports & Appeals Committee member/s need not necessarily be a member of the Association. The Chairman will be paid a meeting fee to a maximum of \$25.00 per meeting attended

### **g. BYLAWS COMMITTEE**

The Bylaws Committee shall meet at any time convenient to it and any parties concerned

### **h. GRADING COMMITTEE**

The Grading Committee shall meet prior to 10<sup>th</sup> September each financial year

## **18. QUORUM**

Before any business shall be entered into at any meeting, the President or Chairman shall satisfy themselves that a quorum is present, in accordance with the following:

- a. At an Executive meeting, a quorum shall consist of 6 members, including a minimum of 2 from the Upper Executive
- b. At a General Committee Meeting, a quorum shall consist of 33% of the delegates, and a minimum of 6 Executive members, 2 of whom shall be from the Upper Executive
- c. At an Annual General Meeting and all Special General Meetings, a quorum shall consist of 33% of the delegates, and a minimum of 6 Executive members, 2 of whom shall be from the Upper Executive
- d. At a Clearance Committee meeting, a quorum shall consist of 2 members, 1 of whom must be the previously elected Chairman
- e. At a Reports & Appeals Committee Meeting, a quorum shall consist of 3 members of the Reports & Appeals Committee
- f. At a Bylaws Committee meeting, a quorum shall consist of 2 members, 1 of whom must be the previously elected chairman
- g. At a Grading Committee meeting a quorum shall consists of 3 members

## **19. ORDER OF BUSINESS**

a. At the Annual General Meeting the order of business shall be as follows:

- i. Apologies and attendances
- ii. Reading and confirmation of previous minutes
- iii. Business arising out of minutes
- iv. President's Report
- v. Correspondence and business arising
- vi. Treasurers Report
- vii. Election of office bearers in accordance with Rule 10(b)
- viii. Election of Life Members in accordance with Rule 27
- ix. Notices of Motion
- x. General Business

- b. At a General or Executive Committee Meeting the order of business shall be as follows:
  - i. Apologies and attendances
  - ii. Reading and confirmation of previous minutes
  - iii. Business arising out of minutes
  - iv. Correspondence and business arising
  - v. Treasurers Report
  - vi. Registrars report
  - vii. Umpires Advisors report
  - viii. Subcommittee reports
  - ix. General Business

## **20. NOTICES OF MOTION**

Motions, other than merely informal ones, must be in writing and signed by the proposer and seconder. Notices of Motion must be received at least 7 days prior to an Executive or General Committee Meeting, and at least 21 days prior to the Annual General Meeting

## **21. VOTING**

- a. At the Annual General Meeting, the election of all office bearers shall be by show of hands, with the resulting majority being the successful one. In the event of the presiding President being a nominee, he shall vacate the Chair prior to such vote and the meeting shall elect a Chairman for that purpose. The Chairman shall not be entitled to a vote, but in the event of an equal decision he shall have a casting vote
- b. With regard to other matters at any meeting of the Association, the President or Chairman may exercise his discretion as to whether voting shall be by secret ballot or show of hands
- c. Unless stated elsewhere in the Rules, a simple majority of those members present and voting shall carry a vote on any matter

## **22. PAYMENT OF ACCOUNTS**

- a. Subject to the provisions of Rule 9:
  - i. All monies due to the Association by any member (as specified in Rule 6(a)) shall be payable within 30 days of the account being rendered, except if specified differently elsewhere in these Rules
  - ii. Any member failing to comply with these Rules may be prohibited from competing in the Association competition until payment has been made, except for as allowed for in Rule 9
- b. Any member in debt to the Association at the time of the Annual General Meeting, or any adjournment thereof, shall not be permitted to affiliate with the Association until all arrears for monies due relating to the previous financial year have been paid
- c. The Association may, at its discretion, demand that any club which failed to pay the annual affiliation subscription by the due dates and were not disbarred as allowed for in Rule 9, shall pay the annual affiliation subscription, or part thereof, for the next financial year in advance
- d. Disbarred clubs under Rule 9, may reapply for reaffiliation in accordance with Rule 7 in the following financial year, but shall pay 50% of the annual affiliation subscription in advance

## **23. BANK ACCOUNTS**

Savings, Investment, and General Trading Accounts may be kept with any Bank or Building Society and shall stand in the name of the Association. Any 2 of the President, Treasurer and Secretary shall have the power to operate the accounts

## **24. FINANCIAL RECORDS (TIER 1 ASSOCIATIONS)**

- a. For each financial year, the Executive must ensure that the requirements imposed on the Association under Part 5 of the Act relating to financial statements or reports of the Association are met
  - b. Without limiting (a) above, those requirements include:
    - i. the preparation of the financial statements
    - ii. if required, the review or auditing of the financial statements or reports as applicable
    - iii. the presentation to the Annual General Meeting of the financial statements or reports as applicable
    - iv. if required, the presentation to the Annual General Meeting of a copy of the report of the review or auditors report, as applicable, on the financial statements or reports
  - c. The Association must keep financial records that correctly record and explain its transactions and financial position and performance and enable true and fair financial statements to be prepared
  - d. An audit, in accordance with (b)(ii) & (iv) above must be undertaken if:
    - i. a resolution is passed by members present and voting at a General Committee Meeting;
- OR



- ii the Association is directed by the Commissioner to do so
- e. The Association must retain its financial records for at least 7 years after the transactions covered by the records are completed

## **25. INCOME AND PROPERTY**

- a. The income and property of the Association shall be applied solely to the promotion of its Objects, and no part thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, or otherwise by way of pecuniary profit to the members, provided that remuneration and honorariums may be paid in good faith to employees and office bearers, as applicable, of the Association or other persons in return for services actually rendered to, or expenses incurred on behalf of the Association
- b. The annual Cricket West Game Development monies received shall be accounted for separately within the records of the Association and these monies will be used for purposes other than the general business of the Association, including but not limited to special purpose expenses incurred by the Association and grants/loans to clubs
- c. Grants and/or loans may be made to clubs on written application to the Executive who shall assess the applications and issue monies and/or a reduction of annual costs at its sole discretion in accordance with Rule 13(e)
- d. Custody of books, securities and other documents shall be the responsibility of the Executive

## **26. INSPECTION OF BOOKS AND DOCUMENTS**

On written application to the Secretary by a member, all books, securities and other documents held by the Executive shall be made available for inspection within 14 days of receipt of such application

## **27. LIFE MEMBERS**

- a. The Executive shall have the power to recommend Life Membership of the Association on any person they deem fit to receive it
- b. That recommendation shall be voted upon by the Executive prior to 31<sup>st</sup> March each year and presented at the next Annual Presentation night
- c. Life Members shall have the right to attend any General Committee Meeting and vote thereat in the ordinary manner
- d. Life Members appointed shall not exceed 2 in any year

## **28. REPORTS & APPEALS**

- a. Any affiliated member of a Club may be reported by an Umpire, member of the opposing team, Club Official or Association Official for any misdemeanour or wrongful act or anything done in contravention of the MCC Laws of Cricket, NSCCA Constitution, ByLaws and Policies. The Report should be lodged verbally with any one of the following:
  - NSCCA President
  - NSCCA Registrar
  - NSCCA Secretary

If an Umpire is making the report, they should also contact the Umpires Advisor  
If persons other than an Umpire are making the report, then the verbal report should be made within 48 hours following the occurrence thereof
- b. Any appeal or protest lodged following a decision made by the Reports & Appeals Committee must be accompanied by a protest fee as determined from time to time by the Association
- c. The Reports & Appeals Committee shall:
  - i. Hear all reports laid against member
  - ii. Open any matter if directed by the Executive in accordance with the Rules
  - iii. Not contain any Executive Committee members who are also members of any Club the subject of the report, except the Chairman who shall in all cases be deemed neutral for the purposes of this Rule
  - iv. Reopen, for the purposes of an appeal, any matter previously dealt with, provided always that fresh evidence is submitted and the protest fee in accordance with Rule 28(b) is paid, and in all instances, if deemed necessary in the opinion of the Executive Committee. In all cases, appeals must be lodged within 7 days of the original decision
  - v. Should an appeal hearing proceed in accordance with Rule 28(c)(iv), then the Appeal Committee/s shall comprise the original Chairman appointed by the Executive Committee and two other Executive Committee members, neither of whom were associated with the original hearing, provided always that the new Appeal Committee members shall not also be members of any Club the subject of the original report

- vi. Have the power to impose penalties as set out in the Code of Conduct – Guidelines & Penalties section of the bylaws, including fines and/or good behaviour bonds to a maximum of \$500.00 on Clubs or \$100.00 on individuals
- d.
  - i. The Reports & Appeals Committee shall meet to consider charges, protests, disputes and/or complaints at any time convenient to it and the parties involved, but such meeting shall commence no later than 8pm on the Wednesday following the conclusion of the match at which such offence/incident occurred, or within 3 days of the offence/incident if the offence/incident did not occur at a match. The location of the hearing shall be determined by the Reports & Appeals Committee
  - ii. Should a party plead “guilty” to any charge prior to the appointed meeting time, then the Reports & Appeals Committee, at its discretion, may decide not to meet in person, and may discuss the penalty (if any) by telephone
  - iii. Should a quorum not be reached within 30 minutes of the appointed commencement time, the meeting shall be adjourned and shall reconvene as soon as possible in the same week
  - iv. Where more than 1 case is to be heard in the same week, the Reports & Appeals Committee may direct the second and subsequent cases to be heard on another night or at a later time than is specified in (d)(i) above
- e.
  - i. A charge against a player or official of a club can be made on a match day or at any official gathering/meeting of the Association
  - ii. A match is deemed to include the period from 30 minutes prior to the commencement of the days play until 30 minutes after the days play has ceased
- f.
  - i. A party subject to a report on a match day shall be notified of such report in accordance with bylaws 17.3 and 17.4 within 2 hours of the cessation of play
  - ii. Where the party reported is a player, the Captain shall also be notified
  - iii. Where the party reported is an official member of a Club, the Club shall also be notified
  - iv. A party subject to a report at any official gathering/meeting of the Association shall be notified of such report within 30 minutes of the occurrence thereof
- g.
  - i. Any person charged shall appear in person, if requested to do so by the Reports & Appeals Committee, and may call a maximum of 2 witnesses
  - ii. Any person unable to attend in person who has been so directed, may be represented by an advocate, provided that the advocate shall not be a legal practitioner
  - iii. A hearing may proceed in the absence of any person, but said person may be contacted by telephone to provide evidence if required by the Reports & Appeals Committee
- h. The Reports & Appeals Committee, at its own motion, may direct any person to attend a hearing to give evidence in respect to the matters before it, including being contacted by telephone if required
- i. The Reports & Appeals Committee may impose a penalty in accordance with sub-rule (c)(iv) on a party required or directed to attend a hearing who does not attend
- j.
  - i. The Secretary shall be responsible for the taking of minutes at each hearing and shall submit a written on the outcome to the Executive Committee at the next available meeting. A Register of all minutes/reports shall be kept and made available to the Executive Committee as required
  - ii. A copy of minutes/reports shall be provided to the Chairman of the Reports & Appeals Committee
  - iii. Records can be used as a reference in the determining of any subsequent hearings
  - iv. Suspensions will be recorded and be available to view by all Clubs on the website

## 29. FINES

- a. The Executive may impose a fine or penalty for any breach of the Rules, but unless stated elsewhere in the Rules, no penalty shall exceed \$100.00. Their decision in all cases shall be final
- b. The Reports & Appeals Committee may impose a fine or penalty for any other breach, but unless stated elsewhere, no fine shall exceed \$500.00

## 31. CLUBS DISBANDING/DISBARRED

- a. Any club disbanding before the end of the current financial year, and being unable to fulfill its engagements shall be released therefrom upon application in writing, and upon payment of any monies due to the Association including any grants/loans received in accordance with Rule 25(c), and from the granting of such application, such club shall cease to be an affiliated club within the meaning of these Rules and shall be under no liability whatsoever to the Association
- b. Any player of a disbanded unfinancial club shall not be permitted to play for any other affiliated club without approval of the Executive, and should approval be granted, a levy may be imposed upon the player
- c. A player, official or member of any club disbarred under Rule 9(d)(iii) will not be granted a clearance until a pro rata payment for his portion of the clubs dues is made

**32. BY-LAWS COMMITTEE**

- a. A committee consisting of a maximum of 3 members of the Association shall constitute the Bylaws Committee, one of whom shall be the Chairman
- b. The Bylaws Committee shall meet to discuss all proposed bylaw changes and/or new bylaws and shall be responsible to ensure that the final wording of any such proposed alterations convey the correct meaning and purpose for which it was made, and shall also ensure that any other Rule that may need to be altered to avoid contradictions within these Rules is also made
- c. The Bylaws Committee shall then present the whole package as a single proposal at the next General Committee Meeting for a vote to be taken. A written copy of the proposal shall be sent to all clubs prior to the meeting

**33. GRADING COMMITTEE**

- a. A committee consisting of a maximum of 3 members of the Executive shall constitute the Grading Committee, one of whom shall be the Chairman
- b. The Grading Committee shall meet to decide grading each year in accordance with the bylaws

**34. ALTERATION OF RULES**

- a. To effect any alteration, addition or rescission of these Rules, the matter must be decided by:
  - i. a Special General Meeting duly convened for that purpose
  - OR ii. by submitting to the Secretary a copy of the proposed amendment for inclusion in the agenda of the Annual General Meeting as a Notice of Motion
- b. For the purpose of the Rule, any proposed amendment must be carried by at least a 75% majority of the members present and voting
- c. Any alteration to the playing conditions as set out in the bylaws, voted on and carried in any financial year shall not be implemented until the following season if the current playing season has commenced, unless determined by the Executive that there would be no detrimental affect to the competition or on any club by immediate implementation of the alteration

**35. INTERPRETATION**

In the case of any question arising not provided for in these Rules, or as to the interpretation of any part hereof, the opinion of the Executive shall be taken and acted upon

**36. DISSOLUTION OF ASSOCIATION**

The Association may be dissolved by resolution of at least 75% majority of the financial members present and voting at 2 Special General Meetings held at least 42 days apart, duly convened for that purpose. The property of the Association, upon dissolution, shall be realised by someone appointed at the 2<sup>nd</sup> of such Special General Meetings, and the proceeds, if any, after payment of all the Association debts and liabilities may be donated to either another incorporated cricket association within Western Australia or an organization that holds a licence under the Charitable Collections Act 1946, as agreed upon at such meeting, provided that the Rules and Statutes of Constitutions binding the recipients shall contain a provision that upon their own dissolution, it shall be unlawful for the division of property amongst the members of that organisation