

**BOX HILL REPORTER
DISTRICT CRICKET
ASSOCIATION INC**

Operational By Laws



**Registered No: A 0032112 P
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**Contains all amendments up to and including those approved at the
2013/14 Annual Rules Meeting, held on 25/5/2018**

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1. SCOPE.

These by laws cover administrative arrangements relating to the composition and functioning of all constituent Committees of the Association and requirements relating to nomination of teams and responsibilities of clubs. They are complementary to the Statement of Purposes, Corporate Rules, and Competition Rules that together govern the functioning of the Association.

2. DELEGATES MEETING.

Subject to the provisions of the Rules of Incorporation, the Competition Rules and these By Laws the Delegates Meeting shall have the following powers:

- 1) Borrow or raise money by mortgage or otherwise and in such manner as the Association may think fit.
- 2) Delete, amend or add to the Competition Rules in accordance with the Rules of Incorporation, the Competition Rules and these By Laws.
- 3) Levy all affiliated Clubs and affiliated Associations if necessary. Notice of the proposal to make such levy must be made to every affiliated Club and affiliated Association before the meeting.
- 4) Control, dispose of, extend or invest and direct the investment of the assets and funds of the Association and shall give such directions to the Committee in this respect as it shall think fit.
- 5) Ensure that the income and property of the Association wheresoever derived shall be applied solely towards the promotion of its objects.
- 6) Recommend no more than two people to the Annual General Meeting for Life Membership of the Association.
- 7) Subscribe or contribute to any charitable, benevolent or hospital object of a public character.
- 8) Approve the performance of such other duties as may from time to time be required for the proper management of the Association.

3. COMMITTEE OF MANAGEMENT.

Subject to the provisions of the Rules of Incorporation, the Competition Rules, these By Laws and without prejudice to any resolution passed in General Meeting or Delegates Meeting the Committee of Management shall exercise a general control over the affairs of the Association, and in particular shall:

- 1) Subject to these rules, By Laws and the Act, perform or delegate to sub-committees all such acts and matters as appear to the Committee to be essential to the business and affairs of the Association.
- 2) Save as aforesaid, the decisions of the Committee shall be final and not be subject to review, reversal or variation by other meetings of the Association.
- 3) Investigate and report to Delegates Meeting all applications for membership and for affiliation of Associations and Clubs.
- 4) Prepare and publish fixtures for competition matches of the Association.
- 5) Appoint selectors and managers for representative teams of the Association.
- 6) Pay accounts, give receipts, receive and distribute all correspondence, and employ any persons to provide necessary services to the Association.

- 7) Purchase and or dispose of any stationery, office equipment or other equipment necessary for the proper functioning of the Association.
- 8) Have authority to deal with any matters requiring attention that are not the expressly vested in any other meeting, Delegates Meeting or committee of the Association.
- 9) Take all reasonable steps to implement Delegates Meeting resolutions.
- 10) Negotiate appropriate insurance cover for each season
- 11) Negotiate any Association sponsorships for each season.
- 12) Appoint persons to fill any vacant office or positions on Committees.
- 13) Grade teams subject to any direction given by Delegates Meeting on the grades to be organised. The Committee shall consult with such persons and make such enquiries as it considers appropriate.
- 14) Fix the venue for each game, including semi final and final matches.
- 15) Appoint an Umpires Advisor for the Associations umpiring panel for each season
- 16) Shall annually appoint representatives to the Victorian Metropolitan Cricket Union and such other bodies as may be deemed necessary.
- 17) Convene meetings as necessary to assist the running of the Association and its competitions.

4. UMPIRE APPOINTMENTS COMMITTEE

- 1) The Umpires Appointments Committee:
 - a) shall comprise the President as Chairman, Secretary, Umpires Advisor and two other members who shall be elected at the Annual General Meeting or, in the event of a casual vacancy arising between Annual General Meetings, appointed by the Committee.
 - b) shall appoint persons who are available and qualified to stand as umpires in Association Games.
 - c) subject to direction and ratification by the Committee make Rules for the appointment and conduct of Umpires.
 - d) may discipline any umpire against whom a complaint is made or alternatively refer the complaint to the Committee or Tribunal for decision as appropriate.
- 2) A quorum for this committee shall consist of three members.

5. PERMIT AND CLEARANCE COMMITTEE

- 1) The Permit and Clearance Committee shall:
 - a) Consist of a Chairman and four other members appointed at the Annual General Meeting or, in the event of a casual vacancy arising between Annual General Meetings, by the Committee.
 - b) Meet at such times and places as it shall determine or be directed by the Committee to consider any application for a permit or clearance made to it by a member club or any other matters it is empowered to consider under the Competition Rules.
 - c) Subject to direction and ratification by the Committee make rules for the processing and consideration of clearance and permit applications.
- 2) Hearing of clearance application appeals or appeals relating to registration or non registration of players shall take place within seven days of such application being made.
- 3) No Committee member may deliberate on or participate in applications involving his own club.
- 4) A quorum for this committee shall consist of three members.

6. RESPONSIBILITIES OF AFFILIATED CLUBS.

- 1) Each affiliated club shall manage and control its own affairs subject to these Rules, By Laws and Competition Rules.
- 2) Clubs are responsible for:
 - a) the compliance of their members with the Rules and By Laws of the Association.
 - b) the behaviour of their players, coaches and spectators.
 - c) the condition of their playing fields and equipment.
- 3) Each affiliated club shall adopt a formal written constitution which shall not contain any requirements contrary to the provision of the Corporate Rules, By Laws or Competition Rules. Such constitution shall contain (among other things):
 - a) adequate provisions for the disciplining of its members; and
 - b) an undertaking to comply with the provisions of the Association Rules, By Laws, and Competition Rules and all duly made decisions, rulings and determinations of each of the meetings, Committees and Tribunal of the Association.
- 4) Each new club shall lodge a copy of its constitution and rules with the Association Secretary within one calendar month of its date of admission. Amendments to club constitutions and rules shall be lodged with the Association Secretary within one calendar month of their adoption by the club.
- 5) Any club failing to lodge such documents within the prescribed time shall be subject to such penalty as the Committee may determine.
- 6) All clubs shall maintain an accurate record of players registered to play in the Association, such record to be made available when so requested by the Committee.
- 7) Each club shall hold an Annual General Meeting each year and it shall nominate names addresses and telephone numbers of office bearers and delegates to Association meetings to the Secretary prior to 31 July each year.

7. AFFILIATION/MEMBERSHIP.

- 1) By 31st July each year each club or Association wishing to be affiliated for the coming season must deliver a completed affiliation form to the Secretary.
- 2) To become an Affiliated Club or Association this application must be formally accepted by a Delegates Meeting.
- 3) New clubs may be admitted into the Association by a Delegates Meeting on recommendation of the Committee. No new club may be admitted unless:
 - a) it consists of at least 15 financial members; and
 - b) it satisfies the Committee that it can field at least one team; and
 - c) it has not been previously suspended or expelled from this or any other Cricket Association under its professed name or any other name unless a general meeting is satisfied that its office bearers and membership have substantially changed since the date of suspension or expulsion; and
 - d) it has paid a non refundable application fee as fixed by the Committee; which shall be part payment of its affiliation fee for the next twelve months; and
 - e) its home ground is situated within the boundaries of the Association as determined by the Annual General Meeting from time to time; and
 - f) it consents to be bound by the Rules of Incorporation, By Laws and Competition Rules of the Association.

8. FEES AND HONORARIA.

- 1) The annual fees to be paid by Clubs and Associations, and the Secretary's and any other honoraria shall be determined at each Annual General Meeting.
- 2) Any fees are due and payable by the Date designated by the Committee of Management

9. REPRESENTATIVE MATCHES.

- 1) The Association may arrange representative matches in open or restricted age groups.
- 2) A selection committee for each group shall be appointed by the Committee and shall hold office for twelve months only.
- 3) Only players registered with the Association shall be eligible to participate in matches played under the auspices of the Association.
- 4) Any player making himself available for selection and subsequently selected in teams representing the Association shall hold himself at the disposal of the Association in preference to any other club or Association engagement except as excused by the team manager. Failure to abide by this rule leaves the player liable to penalty, or suspension as determined by the Committee.
- 5) No suspended player shall participate in teams representing the Association.
- 6) The umpires for all representative matches played under the management of the Association shall be appointed by the Committee and paid from the funds of the Association.
- 7) Any player reported or charged with disputing the umpires decision or otherwise misconducting himself on the field in any match managed by the Association shall be dealt with as the Committee may decide.
- 8) The colours of the Association shall be royal blue and gold and may be further defined by the Committee from time to time.

10. DISCIPLINARY TRIBUNAL.

- 1) The Disciplinary Tribunal hereinafter called the Tribunal shall consist of a Chairman and at least four members all elected at the Annual General Meeting.
- 2) A quorum at Tribunal meetings shall consist of three members.
- 3) Subject to the provisions of By-Law 12 the Tribunal
 - a) shall have sole jurisdiction within the Association to determine whether any of the clubs or any member thereof has been guilty of misconduct under the Competition Rules as reported or charged. No such decision may thereafter be reviewed, reversed or varied by any meeting of the Association.
 - b) shall meet at such times and places as the Chairman may determine but in any case within fourteen days of the delivery of any report to the Association. Normally the Tribunal will meet on the Wednesday following completion of the match.
 - c) shall permit the club or person against whom such report is made to show cause by evidence and/or written or verbal submission why the Tribunal should not determine that it or he is guilty as charged.
 - d) shall conduct its hearings in accordance with Association Rules and Procedures.
 - e) shall not be bound by any rules of law or evidence other than the provisions of the Association rules and shall act only according to equity and good conscience in determining (upon the merits of the case) whether the report has been substantiated and, if so, the penalty to be ordered against any such club or person.
 - f) before or after hearing such evidence and/or submissions may inform itself concerning the subject matter of the report and/or the club or person against whom the report is made in such manner as it deems appropriate.
 - g) shall give reasons for its determination if requested to do so by any person or club against who it makes a decision. It shall not be required to give reasons in justification of any penalty unless requested to do so by the Committee or any General or Delegates Meeting of the Association.

- h) may impose a fine not exceeding \$200 on any person or club who fails to appear at a hearing convened in accordance with Association Rules and Procedures.
 - i) may impose a fine upon any person who makes a report to the Tribunal which considers to be vexatious or frivolous.
- 4) If the Tribunal duly determines that any club or person has been guilty of a breach of the Rules it may:
- a) impose a fine and fix the time of payment thereof to the Association; and/or
 - b) suspend a club for any period not exceeding twelve months; and/or
 - c) suspend any person from playing or officiating in any of the Associations fixtures or games or from playing or officiating in any Association representative team; and/or
 - d) suspend any person from holding any office whatsoever under Association Rules and Regulations or from being a Delegate to any Association meeting for a period not exceeding twelve months.
 - e) recommend to the Committee that any one of the clubs or member of any one of the clubs be expelled from, and from any participation in the Association whatsoever.
- 5) The Secretary shall notify any club or person against whom a decision is made by the Tribunal without undue delay after such decision being made.
- 6) No Chairman or member of any Tribunal shall sit in relation to any report concerning or relating to a club, or member of a club of which he is a member. The Committee of Management may appoint an alternate member to replace a Chairman or member who is so precluded.

11. DISPUTES AND DIFFERENCES.

- 1) Subject to the provisions of 12.2 herein, all disputes and differences and complaints not involving misconduct of players shall be referred to the Committee of Management.
- 2) The Committee may refer the matter to the Tribunal, set up an investigative committee, or deal with the matter directly itself.
- 3) All decisions reached by the Committee are final and binding.
- 4) In reaching a decision the Committee shall have due regard to the Rules and By Laws of the Association.
- 5) The Secretary upon receiving notice of the dispute, difference or complaint and referring same to the Committee shall advise all parties of the date when the matter will be considered.
- 6) Committee members shall not participate in Committee action relating to such activities affecting their clubs.

12. APPEALS.

- 1) Tribunal decisions may be appealed to the Committee of Management subject to published procedures, terms and conditions as may from time to time be determined. Any such decision by the Committee may only be further appealed to the VMCU in accordance with provisions of this By-Law and those of the VMCU.
- 2) Committee of Management decisions may be appealed to the Tribunal subject to published procedures, terms and conditions as may from time to time be determined. Any such decision by the Tribunal may only be further appealed to the VMCU in accordance with provisions of this By-Law and those of the VMCU.
- 3) Any club, player or umpire suspended, disqualified or otherwise subject to a decision of the Tribunal, Committee of Management or any general or Delegates' Meeting of the Association may appeal that decision through the Association to the VMCU only after all avenues for appeal within the Association have been exhausted.

13. FINES AND FINANCES.

- 1) Fines imposed for breaches of the By Laws or Competition Rules are due and payable within 30 (14) days of notice being given to clubs.
- 2) Outstanding fines and fees shall incur a penalty at least equal to that amount owing and decided at a Delegates Meeting. The Delegates Meeting may impose a time limit for payment at its discretion.
- 3) No members of a club owing money to the Association may vote at an Annual General Meeting or stand for election.
- 4) Clubs may appeal to a Delegates Meeting against scheduled fees applied under rule 15(a) for breaches of the Competition Rules, such appeal to be received by the Association Secretary within seven days of notification of that fine. Insofar as they are relevant the provisions of BHRDCA 'Procedures for Processing of Appeals' shall be followed.

14. COMMITTEES.

- 1) In the absence of the Chairman from any meeting of a committee a chairman shall be elected from the members present.
- 2) Each committee shall meet at such time and place as the committee may determine.
- 3) Special meetings of a Committee may be summoned by the Chairman on his own account or at the request of two members.
- 4) Any Committee may submit to the Committee of Management proposals for alteration to the Rules of Incorporation, By Laws or Competition Rules.
- 5) Should an elected member of the Committee of Management miss two consecutive meetings without reasonable excuse, they shall cease to be a member thereof. Should a replacement be necessary it shall be treated as a casual vacancy.
- 6) On all Committees elected members shall have one vote, except in the case of a tied vote the Chairman shall have a casting vote. Persons chairing meetings by virtue of their ex-officio capacity shall only have a casting vote.

15. MEETINGS.

- 1) The Annual General Meeting of the Association shall be held in the month of May.
- 2) A minimum of three Delegates Meetings shall be held in each calendar year. One of these meetings shall be held at least 14 days before the Annual General Meeting, the business of which shall include preparation of matters for the Annual General Meeting.
- 3) The Committee shall meet at least six times in each calendar year.
- 4) If any club be not represented by any delegate member at three consecutive meetings of the Delegates Meeting without consent of the Delegates Meeting, membership of the Delegates Meeting of that club's delegates may cease if so decided by the Delegates Meeting. In such case the Delegates Meeting or Committee may request an Office Bearer of the affiliated club to nominate in writing other delegates to stand instead and such nominees, if approved by Delegates Meeting shall become members of the Delegates Meeting.
- 5) If a delegate cannot attend a Delegates Meeting meeting he may appoint a proxy. Each proxy delegate shall advise the Secretary on the nominated form prior to commencement of the meeting.
- 6) Representation of Clubs on Committees
 - a) Each affiliated club shall usually have not more than one representative elected to each of the following at the Annual General Meeting:
 - Office Bearers
 - Disciplinary Tribunal
 - Permit and Clearance Committee
 - b) If insufficient nominees are received or in the event of casual vacancies occurring clubs may have more than one member on each with the proviso that the total number representing a club must be less than a quorum for that committee.

16. UMPIRES ADVISOR

- 1) The Committee may appoint an Umpires Advisor each season who shall receive an honorarium decided by the Annual General Meeting.
- 2) The duties of the Umpires Advisor shall be:
 - a) To examine and assess umpire performance reports.
 - b) To counsel and assist umpires in the performance of their duties.
 - c) To attend meetings of the Umpires Association and instruct on Laws of Cricket, Competition Rules and technique.
 - d) To attend and advise the Umpires Appointment Committee.
 - e) Other duties as directed by the Committee.

17. ALTERATION TO BY LAWS OR COMPETITION RULES

- 1) Annual Amendment
 - a) Any By Law or Senior Competition Rule once adopted may be altered, amended or repealed or new By Law or Competition Rule added with the concurrence of a majority of members present at a Special General Meeting.
 - b) The Secretary shall give at least 14 days notice to all members, such notice to contain the full text of the alteration, amendment, revocation or addition to the By Laws or Competition Rules.
 - c) Notices of Motion for all alterations or additions to these By Laws or Competition Rules must be sent by clubs to the Secretary by the 1st May.
 - d) No Junior Competition Rule once adopted shall be altered, amended or repealed or new Rules added without the concurrence of the majority of members present at a Junior Sub Committee Meeting prior to the commencement of a season.
- 2) Under exceptional circumstances the BHRDCA Senior Committee of Management or Junior Executive Committee respectively, may instigate a special delegates' meeting to consider rule deletion, amendments or additions during the season, provided the proposed alterations are received by all club secretaries at least fourteen days prior to the special delegates' meeting.

18. SENIOR SECTION MANAGEMENT

- 1) During the season the affairs of the senior competition shall be the general responsibility of the Secretary.

19. JUNIOR SECTION MANAGEMENT

- 1) During the season the affairs of the Junior Section competition and representative matches shall be the general responsibility of a junior sub-committee comprising:

Junior Section Manager elected at the Annual General Meeting of the Association

Junior Competition Secretary elected by the Junior Sub Committee.

Junior Executive Committee Members (2) elected by the Junior Sub Committee.

Junior Age Group Registrar/s elected at the Annual General Meeting

One delegate representative from each club - preferably the Club junior coordinator/manager.

The President and Secretary of the Association shall be ex-officio members of this sub-committee.

- 2) A Junior Executive Committee comprising the Junior Section Manager, Junior Competition Secretary and two Junior Committee Members shall be responsible for the day to day affairs of the junior section. Its operation shall be subject to ratification or amendment by the Junior Sub Committee. It shall have the power to develop and recommend to the Committee and the Junior Sub Committee By Laws and Competition Rules for junior matches.
- 3) Meetings of the junior sub committee shall be regarded as official meetings of the Association and non attendance of elected or club members shall be subject to penalties/review in accordance with provisions of the By Laws and Competition Rules pertaining to Delegates Meetings.
- 4) A minimum of four junior sub-committee meetings shall be held during the season. It shall be sufficient for the Junior Competition Manager on behalf of the Association to advise members in advance of the dates and times of such meetings.

- 5) The Junior Executive Committee shall
 - a) Be responsible for the management and general control of the junior section as directed by Committee.
 - b) Present or cause to be presented to each Delegates, Junior Sub Committee and Committee Meeting a report on the affairs of the junior section.
- 6) Duties of the positions of Junior Section Manager, Junior Competition Secretary, Junior Executive Committee and Junior Registrar(s), and operation of the Junior Section as a whole will be determined and published by the Committee as required.

20. STANDING ORDERS

- 1) At all meetings of the Association the order of business shall be:
 - Apologies and proxies
 - Reading of minutes
 - Presidents Report
 - Secretary's Report, including Correspondence in / out
 - Treasurers Report, including the submission of Accounts
 - Junior Report
 - Special Business
 - General Business
- 2) Immediately the minutes of the previous meeting have been read, the Chairman shall accept a motion, "That the minutes of the previous meeting be confirmed." No discussion shall take place on this motion except for the purpose of correcting any error in the minutes which must be a true and complete record of the business transacted.
- 3) In dealing with correspondence, every letter, after having been read, may be taken as formally received, unless a motion to the contrary be submitted.
- 4) No motion or amendment shall be discussed until it is seconded, and when seconded shall not be withdrawn without leave of the meeting. Such motion or amendment shall be put in writing if so demanded by the Chairman.
- 5) Only one amendment shall be entertained at a time. If the amendment be carried, it will become the substantive motion, the original motion lapsing; and there will be no need to put the original motion to the meeting. It will be competent, whether the amendment is carried or not, to receive other amendments one at a time, to be decided in like manner until the subject is finally disposed of, provided that notice of such amendment shall have been given before the previous amendment is put to the meeting.
- 6)
 - a) No member shall propose more than one amendment upon a motion, and no member shall speak more than once upon any motion or amendment. The mover of the original motion shall be entitled to reply thereto, and thereupon all discussion shall cease and the motion shall be put.
 - b) Not more than two members, excluding the mover and seconder of any motion or amendment, shall follow successively on the same side of any question. If two speakers having so spoken there being no speaker to take the opposite view, the question shall be put forthwith subject to the right of reply by the mover of the original motion.
- 7) No amendment shall be received by the Chairman which shall be a direct negative to a motion or which does not preserve the substance of such motion.
- 8) Any member with the consent of the Chairman, may offer an explanation of any particular expression used by him, but must confine himself strictly to such.
- 9) A motion "That the question be now put" shall take precedence of all matters before the meeting, and no discussion shall be allowed thereof, but the carriage of such motion shall not prejudice the right of the mover of the original motion to reply thereto. This motion shall not be moved whilst any member is addressing the chair.
- 10) On all questions, and during all discussions, the members, when speaking, shall address the meeting through the chairman.

- 11) In all cases where a point of order is raised, the member raising same shall state his point of order clearly and distinctly, and if a member be speaking, such member shall be seated until the point of order is decided. A further point of order shall be dealt with before the original point of order. The chairman shall decide the matter promptly and shall not allow discussion.
- 12) When a motion is moved and seconded "That the Chairman's ruling be disagreed with" debate on the original motion before the Chair shall be suspended. The Chairman shall forthwith call for nomination for the position of Chairman, and upon the position being filled shall vacate the Chair in favour of the elected deputy, and the question shall be discussed and decided after which the former Chairman shall resume the Chair and debate on the original motion resumed.
- 13) The Chairman shall put all questions first in the affirmative and then in the negative and may do so as often as may be necessary to enable him to determine the sense of the meeting, and thereupon shall declare his decision, which shall be final unless a division or ballot is called for.
- 14) No motion to rescind any decision shall be entertained except at a meeting specially called for the purpose.
- 15) The Chairman shall preserve order and may at any time call to order any member whom he may deem to be out of order. When two or more members rise to speak at the same time, he shall nominate who shall be heard first.
- 16) No member may speak on any motion for more than five minutes without the consent of the meeting.
- 17) In all other cases not herein provided for, normal rules of debate shall apply.