



SOUTH WEST CRICKET

CONSTITUTION

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Rules/Constitution of South West Cricket Inc.

(Adopted at Inaugural Annual meeting, Sunday 11th August, 1996, at the Leura Hotel, Camperdown)

Amended: Wednesday 30th April, 2014, at R.S.L. Hall Camperdown.

NAME

1. The name of the Association shall be South West Cricket. Inc. A0043290L
Definition: Association shall mean all financial clubs registered as part of South West Cricket under the Incorporation Act.

OBJECTIVES

2. The objectives of the Association shall be:
 - (a) To promote, control and manage all competition matches to be played between the clubs comprising the Association and such other matches as shall from time to time be arranged.
 - (b) To foster, help and advance the game of cricket under the theme of “The Spirit of Cricket is Cricket” and recognise the Codes of Behaviour.
 - (c) To foster a better acquaintance and social spirit amongst members of the teams comprising the Association.
 - (d) Through the Executive, manage and control the affairs of the Association and its members.
 - (e) To subscribe to, become a member of, or otherwise affiliate with any organisation having objects wholly or in part similar to those of the Association.
 - (f) To do all such things as are identical or necessary for the purposes of the above objectives.

CONSTITUTION

3. (a) The Association shall consist of such clubs as shall from time to time be admitted thereto.
(b) The Association shall commence its season in October each year.
4. (a) Each club must be entitled to be represented on the Association Committee by one delegate and each delegate shall be entitled to one vote on all questions arising in the Association.
(b) Club nominations for the Committee to be declared at the Annual General Meeting each year.

MANAGEMENT

5. (a) The business of the Association shall be managed by the Executive of the Association acting upon any recommendation made by the majority of the delegates at any Committee meeting.

(b) The Executive members shall have the right of discussion on any issue brought forward under paragraph 5(a) in relation to the objective of the Association but shall have the right to vote on motions proposed at Committee meetings.

6. (a) The Executive (i) Shall have the power to enquire into and to determine all disputes, differences and complaints which may arise between or concerning any of the clubs and/or teams playing under its control, or their members or players.
(ii) Shall if it deems fit, to fine, disqualify or otherwise deal with any club and/or team, player or member concerned.
(iii) May delegate such powers on any of them to any committee or committees to be appointed by the Executive.
(iv) May make rules and regulations for the conduct of its business and the regulations of its affairs and the carrying out of its duties. They may alter, amend or rescind them as the occasion may require.
(b) The Association may from time to time appoint committees or sub-committees as it deems necessary, with such powers as the Association may delegate to them.

EXECUTIVE COMMITTEE/OFFICE-BEARERS

7. (a) The honorary office-bearers of the association shall be elected at the Annual General Meeting of the Association and shall hold office until their successors are appointed.
(b) The office-bearers shall be President, Senior Vice-President, Junior Vice-President, Secretary and Treasurer. These will form the Executive of the Association.
(c) Nominations for the positions of office-bearers should be made on an official form provided by the Secretary of the Association to all clubs not less than 14 days prior to the Annual General Meeting. Nominations must be made and seconded by an official of the Association or by a registered member of an affiliated club, signed by the nominee and be in the hands of the Association Secretary at least 7 days prior to the Annual Meeting. If no written nominations are received, nominations “from the floor” at the Annual General Meeting will be accepted.
(d) The Secretary shall be paid an honorarium by the Association, the amount of such an honorarium being set at the Annual General Meeting.

ASSOCIATION COMMITTEE

8. The Association Committee shall consist of the honorary office-bearers of the Association and appointed club delegates or their proxy. Any member of the committee failing to attend three (3) consecutive meetings of the Committee and/or Association, without reasonable excuse, shall cease to be a member of the Association Committee.

DUTIES OF THE EXECUTIVE

9. The duties of the Executive shall be:
(i) To meet monthly and deal with all correspondence and accounts and all matters requiring attention between meetings of the Association Committee.
(ii) To act as an advisory body to the Association.
(iii) To exercise all power to enforce any penalties in relation to decisions made by the Independent Tribunal under the authority of Law 10, provided always that any

member of the club or clubs involved shall withdraw from the Executive for the time being.

INDEPENDENT TRIBUNAL

- 10. (a)** An independent tribunal, a panel of whom shall be appointed by the Association at the Annual General Meeting, shall exercise all powers of the association to hear and decide all disputes, differences and complaints, including a charge of misconduct against any club, team or player.
- (b)** No panel member shall serve on any hearing if they have a pecuniary interest in that dispute.
- (c)** Each tribunal shall consist of 3 members from the appointed panel or any other person conscripted for the hearing.
- (d)** All clubs and persons have the right to appeal any decision made by the South West Cricket Association Executive or by an independent tribunal of the Association. This appeal is made to the Western Waves.

EX-OFFICIO MEMBERS OF COMMITTEES

- 11.** The President and Secretary shall be ex-officio members of all committees and/or sub-committees.

ANNUAL MEETING

- 12. (a)** The Annual General Meeting of the Association shall be held prior to June in each year, at such time and place as the Executive may appoint. The Secretary shall give at least 14 days written notice to the Secretary of each club in the Association and to all office-bearers of the Association.
- (b)** Any financial member of any affiliated club may attend and speak at the Annual General Meeting of the Association. Voting at the Annual General Meeting is restricted to club delegates. The number of delegates voting shall not exceed the number of clubs that participated in the Association within the previous cricket season, this being one vote per club.

GENERAL MEETINGS

- 13.** General meetings and Association Committee meetings of the Association shall be held whenever considered necessary by the Executive.

SPECIAL MEETINGS

- 14.** The Secretary shall, if directed by the President of the Association Committee, if so required by a written requisition signed by not less than one-fourth of the total number of delegates of the Association, within seven (7) days of the receipt of such requisition, call a special meeting of the Association. Notice in writing thereof shall be posted to each office-bearer and the Secretary of each affiliated club at least seven (7) days prior of such meeting.

PROCEEDINGS AT MEETINGS

15. (a) the President shall preside at each meeting of the Association, but in the event of the absence of the President, a Vice-President, or if no Vice-President, a delegate chosen from amongst those present shall preside.

VOTING

(b) Every motion or question submitted to any meeting of the Association shall be decided by a show of hands unless a ballot is demanded by not less than 50% of voting delegates. There shall be no proxy voting except at Executive meetings.

(c) All members of the Executive are entitled to cast a vote in their own right.

VOTE OF CHAIRMAN

(d) The Chairman shall, at all meetings of the Association, have a casting vote.

(e) The declaration of the Chairman as to the result of any voting shall be final and conclusive.

QUORUM

(f) A majority of voting delegates shall form a quorum at any meeting of the Association.

MINUTES

(g) Minutes of all resolutions and proceedings of all meetings of the association shall be taken, documented, recorded and stored by the Secretary.

(h) Subject to the right of the Association to exclude all persons other than office-bearers and voting delegates and except as otherwise provided in Law 12(b), any person may attend meetings of the Association, but shall not be allowed to speak on any matter without the leave of the meeting.

REPRESENTATION AT MEETINGS

16. Clubs must be represented at the Annual General Meeting, any General Meetings and Committee meeting. Failure to comply will result in a fine as determined.

VACANCY IN OFFICE-BEARERS

17. In the event of a vacancy occurring in the office of Secretary or Treasurer, the President shall be entitled to appoint an Acting Secretary, Assistant Secretary, Acting Treasurer or Assistant Treasurer, as the case may be, who shall hold office from such appointment until the next meeting of the Executive, and at the meeting the Executive shall fill the vacancy. In the event of a vacancy in the office of President or Vice-President, the vacancy shall be filled at the next General Meeting of the Association.

DUTIES OF THE SECRETARY

18. The Secretary shall carry out all the lawful directions given at the meeting of the Association, the Executive and all other Committees and shall keep all the necessary records. Any money received on behalf of the Association shall be directed immediately to the Treasurer. The Secretary, except as otherwise provided in these rules, has custody of and control of all books, documents and securities of the Association which shall be available for inspection by the members, who have first given reasonable notice to the Secretary.

DUTIES OF THE TREASURER

19. The Treasurer shall pay all accounts and receive all money. All such money shall be deposited into the bank account of the Association, and shall keep accurate records of accounts showing all the receipts and disbursements of the Association.

FINANCIAL YEAR

20. The financial year of the Association shall commence on the 1st day of May each year and will end on the 30th day of April following.

PROPERTY

21. All property of the Association shall be considered as vested in the Executive for the time being, and no club retiring from or ceasing to be a member of the Association, shall have any claim whatsoever upon any of its money, property or other assets.

BANK ACCOUNTS AND CHEQUES

22. The Bankers of the Association shall be any such bank as the Executive may from time to time decide upon.
23. Cheques on the Association account shall be signed by the Treasurer and President or Secretary, or in such other manner as the Executive shall from time to time decide, and no disbursements of the Association funds shall be made without the authority of the Association, or in urgent cases of the Executive. All purchases on behalf of the Association are to reference an order number.

AUDITORS

24. An auditor shall be appointed at the Annual Meeting of the Association, and the auditor shall audit the records of the Association prior to the Annual General Meeting and submit a certified audit report to such meeting.

ASSOCIATION MATCHES AND ASSOCIATED CLUBS

25. The Association shall, subject to the provisions of these Rules, have entire control and management of all Association matches played under the auspices of the Association.

AFFILIATION OF CLUBS

26. Any club wishing to compete in any competition decided by the Association shall, no later than September 1st in each year, make application in writing to the Secretary of the Association and if it has not already done so, forward with such application, a copy of its Constitution and Rules. The Association may admit any such club so applying subject to terms and conditions as it shall think fit, or may refuse to admit such club without saying any reason therefore.
27. Each club entering a team in the Association shall, on or before the 30th November in each year, pay to the Association such entrance fee as the Association may from time to time decide. Any late payment shall attract a fine and such club shall be deemed non-financial and may be excluded from any rights within the constitution of the Association.

LEVIES

- 28.** (a) The Association is empowered to impose levies and fines on all affiliated teams if and when it deems fit.
(b) Any fine imposed shall be authorised by the Executive Committee at the first possible meeting after the alleged misdemeanour.

REGISTRATION OF PLAYERS

- 29.** A Member of the Association Committee shall hold the role of Registrar and Permits Secretary. The Registrar and Permits Secretary shall co-ordinate all permits and new registrations and shall liaise with the Association Secretary for players in senior divisions and with junior co-ordinators for underage competitions, prior to determining approval.
No club shall include in any team in any Association match or match under the auspices of the Association, any player who is not registered as a playing member. A full registration must be completed on the My Cricket website before the lodgement of match results.

HONORARY LIFE MEMBERS

- 30.** The Association may elect Honorary Life Members to the Association, such membership to be awarded to those who have rendered special service to the Association and to the game of cricket. This service must include time as a member of the Association Executive or long service in representative teams or selection panels or service on the umpire's panel. Life Members shall only be elected by a three-quarter majority of the delegates present at the Annual Meeting. Life Members shall have the right to attend all meetings of the Association, but shall have no voting power, unless representing their club delegate.

COLOURS

- 31.** The colours of the Association shall be gold, green and black. The Executive shall have the power to decide on an Association cap and the conditions and qualifications under which the same may be obtained and worn.

ALTERATIONS TO THE CONSTITUTION

- 32.** Any new rule or statement made or any existing rule or statement of purpose altered or repealed shall be in accordance with the Association's Incorporation Act 2012.

DISSOLUTION

- 33.** (a) The Association may be dissolved or wound up at a special meeting of the members called for that purpose, if a Special Resolution to that effect is passed in accordance with the Association Incorporation Act 2012.
(b) In the event of the Association being wound up, whether voluntarily or otherwise, the net proceeds of the sale and realisation of the Association's property and assets, after payment of all debts and liabilities of the Association and all costs, charges and expenses properly payable in connection with such sale

and realisation of the Association's property and of the winding up of the Association, shall be divided in such a manner as the Association Committee shall determine.

FUNDS

- 34.** The funds of the Association shall be derived from entrance fees, annual subscriptions, donations, sponsorships and such sources as the Association Committee determines.

SEAL

- 35.** **(a)** The Common Seal of the Association shall be kept in custody of the Secretary.
(b) The Common Seal shall not be affixed to any instrument except by the authority of the Association Committee and the affixing of the Common Seal shall be attested by the signature of two (2) of the office-bearers or the Public Officer and an office-bearer of the Association.