

CONSUMER AFFAIRS VICTORIA
Associations Incorporation Reform Act 2012

WEST GIPPSLAND CRICKET ASSOCIATION INCORPORATED
CONSTITUTION NOV 2020

A 0001860W

20/12/1988

Associations Incorporation Reform Regulations 2012

Part 3



“Fostering the Spirit of Cricket and providing an inclusive range of competition and program formats”

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WGCA CONSTITUTION August 2021

C 1 NAME, and COLOURS

- 1.1 The name of the Association shall be the West Gippsland Cricket Association Incorporated (A0001860W) and shall be affiliated with the Victorian Country Cricket League, with Cricket Victoria and Cricket Australia being our governing bodies.
- 1.2 The Association colours will be Red and White.

C 2 AIM and PURPOSE

2.1 Aim:

The West Gippsland Cricket Association aims to foster the Spirit of Cricket and provide an inclusive range of competition and program formats for the region.

2.2 Purpose:

The Purposes of West Gippsland Association are to:

- a) Conduct, promote, and administer cricket, operating as a Not For Profit Organisation and embracing the values of “The Spirit of Cricket”.
- b) Advance cricket in the local area through development programs and the acquisition of relevant grants and or funds.
- c) Provide a safe, inclusive, and quality sporting / volunteer /spectator experience for its members.

C 3 GOVERNANCE

- 3.1 The Association shall be governed by meetings of the club Delegates/ Presidents and by its Board of Management and its Committees.

3.2 FINANCIAL YEAR

The financial year of the WGCA is each period of 12months ending on the 30th of April.

C 4 THE BOARD OF MANAGEMENT

- 4.1 The Board of Management shall consist of a President, Vice President- Senior Cricket, Secretary, Treasurer, Junior Cricket Manager. Female Cricket Manager and Fixtures Coordinator and West Gippsland Cricket Umpires Association (WGCUA) Umpires Representative.
 - 4.2 The President, Vice President, Secretary, and the Treasurer shall be the Executive members of the Board of Management.
 - 4.3 All positions on the Board of Management shall be elected at the Annual General Meeting and all elected members shall hold a 2-year term of office with half of positions declared vacant at each AGM.
 - Refer to C11 AGM of Delegates
- a) A Board Member may be re-elected
 - b) A Board Member may resign from the Board of Management by written notice addressed to the board.

- 4.4 A member of the Board of Management may be dismissed from office by a two thirds majority of the clubs present at a delegates meeting convened for the purpose after 21 days written notice of a Special Resolution is given to all member clubs stating the reasons for their dismissal.
- 4.5 Members of the Board of Management are ineligible to be club delegates but may move, second and speak but not vote at any delegates meetings.
- 4.6 The Board of Management is collectively responsible for ensuring that the WGCA complies with the Associations Incorporation Reform Act 2012 and that the individual Board Members comply with the WGCA Constitution, Rules, By-Laws, and Policies.
- 4.7 Board of Management members shall exercise their powers and discharge their duties: -
- a) with reasonable care and diligence
 - b) in good faith in the best interest of the WGCA
 - c) for proper purpose
- 4.8 CONFLICT OF INTEREST: -
- a) A Board Member who has a material personal interest in a matter being considered at a Board Meeting must disclose the nature and extent of that interest.
 - b) The Member must not: -
 - be present while the matter is being considered at the meeting
 - vote on the matter
- 4.9 MEMBERS PROTECTION
- a) All members of the WGCA Board of Management are required to have current WWCC.
 - Refer to By-Law Working With Children Check
 - b) All members of the WGCA Board of Management shall sign a Members Protection Declaration.
- 4.10 FILLING CASUAL VACANCIES
- 4.10.1 The Committee may appoint an eligible member of the Association to fill a position on the Committee that—
- (a) Has become vacant
 - (b) Was not filled by election at the last Annual General Meeting.
- 4.10.2 If the position of Secretary becomes vacant, the Committee must appoint a member to the position within 14 days after the vacancy arises.
- 4.10.3 The Board of Management may continue to act despite any vacancy in its membership.
- 4.11 HONORARIUM
- In recognition of volunteer services performed in these positions the Board of Management at its discretion may bestow an honorarium, to be set at the first Boarding Meeting after the AGM.

C 5 DUTIES OF THE BOARD OF MANAGEMENT

- 5.1 The duties of the Board of Management shall be:
- 5.5.1 Shall meet at least four times during the cricket season and to meet at such times and places as required to conduct urgent business of the Association.

- a) Any individual Club President may attend any meeting of the Board of Management to discuss any issue so long as the matter has been submitted in writing to the Secretary of the Association at least 48 hours prior to the scheduled meeting.
- 5.5.2 The Executive committee shall meet on a regular basis throughout the year at such times and places as required to conduct urgent business of the Association.
- 5.5.3 The Quorum for Board of Management and Executive meetings shall be one more than half of the members elected or appointed.
- a) A board member may be taken as present at a meeting using technology that allows clear and simultaneous communication with members.
- 5.5.4 Shall confirm the broad strategic directions of the WGCA and monitor the performance of the association to ensure it achieves these goals and has effective systems in place by maintaining and reviewing a current and relevant Strategic Plan.
- 5.5.5 Shall deliberate upon disputes, complaints, disciplinary matters and appeals.
- 5.5.6 To consider any matter raised by any club delegate as in C13 Delegates/Club President Meetings.
- 5.5.7 To appoint a chairperson to each Committee and ratify nominated member of all Committees.
- Refer to C8 Committees
- 5.5.8 To appoint a MyCricket Manager, Rules Liaison Officer, Umpire's Advisor and Child Safety Officer/Member Protection Information Officer at the first Board of Management meeting after the AGM and to determine any honorarium amount that any named positions may be entitled to.
- Refer to C7 Duties of the Appointed Officers of the Association
- 5.5.9 Shall perform any other duties as requested by the President, the Board of Management or Executive Members.

C 6 DUTIES OF THE BOARD OF MANAGEMENT MEMBERS (Office Bearers)

6.1 PRESIDENT

- 6.1.1 The President is responsible to the Board of Management for the leadership, direction, and coordination of the activities of the WGCA, subject to approval from the Board.
- 6.1.2 Shall be the spokesperson and public face in the community of the WGCA.
- 6.1.3 Shall liaise with affiliated and parent organisations (VCCL, CV & CA) and local government.
- 6.1.4 Shall coordinate the Board of Management and its Executive.
- 6.1.5 Shall act as the chairperson at all Board of Management, Executive and Delegates meetings of the WGCA.
- 6.1.6 The President shall have a vote, and in the case of an equality of votes, shall have a casting vote, at all meetings of the Board of Management and its Executive committee, but may not vote at any meetings of club Delegates/Presidents.
- 6.1.7 Shall prepare and present a President's Report at the A.G.M.
- 6.1.8 Shall develop and ensure a succession plan is always in place.
- 6.1.9 Refer to C4 The Board of Management and C5 Duties of the Board of Management

6.2 VICE PRESIDENT- SENIOR CRICKET

- 6.2.1 Is responsible to the Board of Management for effective conduct and governance of all Senior Cricket operations of the WGCA, subject to approval from the Board.
- 6.2.2 Shall substitute for the President in the absence of the President.
- 6.2.3 Shall be responsible for the coordination of Senior Cricket Competitions and Representative Cricket including Inter-league Match's and recommendations for coach/team manager appointments for Inter-league teams to the Board of Management.
- 6.2.4 Shall be the Chairperson of the Senior Cricket Committee.
- 6.2.5 Shall report in writing and verbally to the Board of Management, at all scheduled Board meetings on all business of Senior Cricket.
- 6.2.6 Shall act as Administrator on WGCA Facebook and Website.
- 6.2.7 Shall prepare and present a Senior Cricket Report at the A.G.M.
- 6.2.8 Refer to C4 The Board of Management and C5 Duties of the Board of Management.

6.3 SECRETARY

- 6.3.1 Is responsible to the Board of Management for the key administration and organisation requirements of the WGCA, subject to approval from the Board.
- 6.3.2 Shall manage all inward and outwards correspondence for the Association and take the appropriate action required, seeking approval from the Board when required.
- 6.3.3 Shall convene all Board of Management/Executive, AGM, Affiliation Meeting and Club Delegates/Presidents meetings in accordance with: -
 - C11 Annual General Meeting of Delegates
 - C12 Affiliation Meeting of Delegates
 - C13 Club Delegates/Presidents
- 6.3.4 Shall prepare and distribute an agenda for all Board of Management/Executive, AGM, Affiliation and Club Delegates/Presidents meetings.
- 6.3.5 Shall record and keep on file the Minutes of all Board of Management/Executive, AGM, Affiliation and Club Delegates/Presidents meetings and will circulate them within 14 days of the meeting to all members of those meetings and to any others that the Board of Management &/or its Executive determines.
- 6.3.6 The Minutes shall record: -
 - a) The names of members in attendance at the meeting
 - b) The business considered at the meeting
 - c) Any resolution on which a vote is taken and the result of the vote
 - d) All Financial Reports received.
- 6.3.7 Shall receive a copy of the minutes from all sub-committee meetings to be kept on file and circulate as directed by the Board of Management/Executive.
- 6.3.8 Shall manage the WGCA email system and keep it up to date with each club's recipients.
- 6.3.9 Shall act as Administrator on WGCA Facebook Pages and Websites.
- 6.3.10 Shall manage production, maintenance, printing, and circulation of WGCA Publications, including but not limited to: -
 - WGCA Constitution, Rules, By-Laws, and Policies

- WGCA Seasonal Directory
- WGCA Annual Report

6.3.11 Shall renew WGCA Insurance Registration yearly via MyCricket and retain on file current Certificate of Currency.

6.3.12 Shall perform any duty or function required under the Associations Incorporation Reform Act 2012 including: -

- a) Shall have an online CAV Account.
- b) Shall be responsible for lodging documents of the association with the Registrar of Incorporated Associations (Consumer Affairs Victoria).
 - Annual Statement within a month of the AGM
 - Application to Change Rules of WGCA
 - Notification change of WGCA Registered Address
- c) Shall give to the Registrar of Incorporated Associations notice of their appointment within 14 days after the appointment

6.3.13 Refer to C4 The Board of Management, C5 Duties of the Board of Management and C19 Custody & Inspection of Books and Records.

6.4 TREASURER -

6.4.1 Is responsible to the Board of Management for the management of the financial affairs of the WGCA, subject to approval from the Board.

6.4.2 The Treasurer must: -

- a) Receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association.
- b) Ensure that all moneys received are paid into the account of the Association within 5 working days after receipt.
- c) Make any payments authorised by the Board or by a Club Delegates Meeting from the Association's funds.
- d) Ensure cheques are signed by at least 2 committee members and that: -
 - The 2 signatures must not be directly related
 - At least 3 authorised signatures be listed with each bank
- e) Ensure Electronic Banking Transactions are authorised by a 2nd Board Member, typically the Secretary.
- f) Present a list of all accounts for payments at Board of Management or Executive Meetings for approval before they are paid.
- g) Send out monthly statements to any customer

6.4.3 The Treasurer must: -

- a) Ensure that the financial records of the Association are kept in accordance with the Act.
- b) Coordinate the preparation of the Financial Statements of the Association and their certification by the Committee prior to their submission to the Annual General Meeting of the Association.

- Refer to C18 Financial Matters
 - c) The Treasurer must ensure that at least one other committee member has access to the financial records of the Association.
- 6.4.4 Shall report in writing and verbally to all Board of Management, Executive and Club Delegates meetings on the state of the Association's finance.
This report shall include:
- a) A statement of outstanding finances.
 - b) A statement of all revenue received, and all accounts paid since the previous Board of Management, Executive or Club Delegates Meeting.
 - Including a list of debtors and creditors
 - A bank reconciliation statement
- 6.4.5 Shall present a budget for the forthcoming season to a Board of Management meeting held prior to the Affiliation meeting for approval.
- a) The budget, once approved by the Board of Management, shall be sent to all member clubs at least 7 days prior to the Affiliation meeting.
 - Refer to C11 Affiliation Meeting
- 6.4.6 Refer to C4 The Board of Management
Refer to C5 Duties of the Board of Management
Refer to C18 Financial Matters

6.5 FIXTURES COORDINATOR

- 6.5.1 Is responsible to the Board of Management for the coordination of the WGCA Competition grading, fixturing and ground allocation requirements, subject to approval of the Board.
- 6.5.2 Shall be Chairperson of the Fixtures Committee.
 - Refer to C 12 Committees
- 6.5.3 Shall be responsible for constructing a timetable of fixtures and venues for all competitions (Senior, Women's, Juniors and Girls) matches including finals.
- a) Liaise with WGCA Clubs, Casey, and Cardinia Councils to determine ground availability.
 - Refer to By-Law Finals
- 6.5.4 Shall grade Senior, Women's, Junior, and Girls Teams into relevant Competitions, based on nominations from Clubs.
 - Refer to By-Law Gradings and Junior Rule Competition Gradings
- 6.5.5 Shall create and publish all Senior, Women's, Junior, Girls and Twenty20 Fixtures on MyCricket and update any changes that occur during the season.
 - Refer to Senior Rules Forfeits
- 6.5.6 Shall coordinate the Twenty20 competition.
 - Refer to By-Law Kookaburra Cup
- 6.5.7 Shall assist clubs in locating alternative grounds where a designated ground becomes unavailable.
 - Refer to Senior Rules Changes of Venue
- 6.5.8 Refer to C4 The Board of Management and C5 Duties of the Board of Management

6.6 JUNIOR CRICKET MANAGER

- 6.6.1 Is responsible to the Board of Management for the effective conduct and governance of all Junior Cricket operations of the WGCA, working collaboratively with the Junior Management Committee subject to approval from the Board of Management in accordance with C9 Governance of Junior Cricket.
- 6.6.2 Shall be the Chairperson of the Junior Management Committee.
- 6.6.3 Shall convene Junior Management Committee Meetings, prepare, and distribute an agenda and Minutes, ensuring a copy of minutes are forwarded to the WGCA Secretary.
 - Refer C6 Duties of Secretary
- 6.6.4 Shall work closely and collaboratively with the Female Cricket Manager.
- 6.6.5 Shall convene Junior Coordinator Meetings, prepare, and distribute an agenda and Minutes of Meetings.
 - Refer C6 Duties of Secretary
- 6.6.6 Shall act as Administrator on WGCA Junior Facebook Pages and Websites.
- 6.6.7 Shall report in writing and verbally to the Board of Management, at all scheduled Board meetings on all business of Junior Cricket.
- 6.6.8 Shall prepare and present a Junior Cricket Report at the A.G.M.
- 6.6.9 Refer to C4 The Board of Management and C5 Duties of the Board of Management.

6.7 FEMALE CRICKET MANAGER

- 6.7.1 Is responsible to the Board of Management for the effective conduct and governance of all Junior Girls/Women's Cricket operations of the WGCA, working collaboratively with the Junior Girls Committee subject to approval from the Board of Management, in accordance with C9 Governance of Junior Cricket
- 6.7.2 Shall coordinate all Junior Girls/Women's Competitions and Representative Cricket including Inter-league Match's and appointment of coaches/team managers for all Inter-league teams.
- 6.7.3 Shall work closely and collaboratively with the Junior Cricket Manager.
- 6.7.4 Shall report in writing and verbally to the Board of Management, at all scheduled Board meetings on all business of female cricket.
- 6.7.5 Shall be a member of the Junior Management Committee.
- 6.7.6 Shall be the Chairperson of the Junior Girls Committee.
 - Refer to C8 WGCA Sub-Committees.
- 6.7.7 Shall act as Administrator on WGCA Junior Facebook Pages and Websites.
- 6.7.8 Refer to C4 The Board of Management and C5 Duties of the Board of Management.

6.8 WGCUA UMPIRES REPRESENTATIVE

- 6.8.1 The West Gippsland Cricket Umpires Association is responsible to the Board of Management for effective conduct and governance of all Official Umpiring operations of the WGCA, subject to approval from the Board.

- 6.8.2 Shall attend Board of Management meetings as required and report on the business of the WGC Umpires Association.
- 6.8.3 Shall attend Delegates, AGM, and Affiliation meetings as required and report on the business of the WGC Umpires Association.
- 6.8.4 The WGCUA Umpires Advisor/Delegate (as advised by the WGCUA) shall: -
- a) Instruct and advise Umpires in regard to the Laws of Cricket and rules of the Association
 - b) Report problems in applying the rules and conditions
 - c) Liaise with Umpires in regard to reports and cautions
 - d) Coordinate the training of umpires

C 7 DUTIES OF THE APPOINTED OFFICERS OF THE ASSOCIATION

- 7.1 WGCA Appointed Officers are required to have current WWCC.
- Refer to By-Law Working With Children Check

- 7.2 Shall exercise their powers and discharge their duties: -
- a) With reasonable care and diligence
 - b) In good faith in the best interest of the WGCA
 - c) For proper purpose

7.3 HONORARIUM

In recognition of volunteer services performed in these positions the Board of Management at its discretion may bestow an honorarium, to be set at the first Boarding Meeting after the AGM.

7.4 MYCRICKET MANAGER

- 7.4.1 Is responsible to the Board of Management for the administration of the WGCA in My Cricket, subject to approval from the Board.
- a) Shall be an appointed position.
 - Refer to C5 Duties of the Board of Management
- 7.4.2 Shall Set the Current Season in MyCricket by 1st July yearly.
- 7.4.3 Shall manage MyCricket Administrators Login Accounts, ensuring only current and relevant members maintain access.
- Shall maintain WGCA Subscribers List.
 - Shall maintain the WGCA User List.
- 7.4.4 Shall manage the WGCA Player Clearance processes, granting or denying club applications.
- Refer to By-Law Clearances
- 7.4.5 Shall manage the WGCA Player Permits processes granting or denying club applications.
- Refer to By-Laws Registrations
 - Refer to Junior Rule Player Permits
- 7.4.6 Ensures details of all registered players are maintained including Player Points where applicable on MyCricket.
- Refer to By-Law Registrations
 - Refer to By-Law Player Points
- 7.4.7 MATCH DAY: -
- a) Review Player List compliance

- b) Lock all competition games after each round.
 - c) Investigate and resolve Match Disputes or refer to Board of Management as required.
 - d) Generate Required Match Reports
 - Weekly Press and Ladder Reports, Senior, Juniors and Girls forwarded to Pakenham Gazette.
 - e) Advise WGCA Treasurer any Online Date Entry Breaches.
 - f) Refer to By-Law Online Match Reporting
- 7.4.8 Liaise and assist clubs with player registration, clearances/permits, and match reporting issues.
- 7.4.9 Review player qualifications for finals, Senior, Women's, Juniors and Girls competitions.
 - Refer to By-Law Finals Eligibility
- 7.4.10 Review WGCA Award Qualification Criteria and collate end of season award winners for all competitions.
 - Refer to By-Law Award Qualification
 - Refer to By-Law Awards
- 7.4.11 Shall receive and collate opposition player votes and prepare voting night and presentation night lists.
- 7.4.12 Shall report to the Board of Management any issues that may arise with the keeping of these records.
- 7.4.13 Shall attend Board of Management and Club Delegates/Presidents meetings as required.
 - a) Shall be entitled to voice opinion on any matter at these meetings but may not vote on any such matters.
- 7.4.14 Shall receive an honorarium as determined by the Board prior to the Affiliation each year, payable at the discretion of the Board.

7.5 RULES LIAISON OFFICER

- 7.5.1 Shall be appointed by the Board of Management prior to the Affiliation Meeting each year.
- 7.5.2 Must be a non-playing member of the Association.
- 7.5.3 Shall be the first point of contact for umpires and club members regarding the Association's local playing rules and the Laws of Cricket on match days.
- 7.5.4 Shall be permitted to interpret any such rule or law as required, so long as this interpretation is reported to Board of Management via the Secretary.
- 7.5.5 Shall attend Board of Management and Delegates meetings as required.
- 7.5.6 Shall be entitled to voice their opinion on any matter at these meetings but may not vote on any such matters.

7.6 CHILD SAFETY OFFICER ^(CSO) / MEMBERS PROTECTION INFORMATION OFFICER ^(MPIO)

- 7.6.1 Is responsible to the Board of Management for, all matters relating to Members Protection and safeguarding Children and Young people in accordance with the: -
- a) WGCA Members Protection Policy – Cricket Victoria
 - b) WGCA Safeguarding Children and Young People – Cricket Australia
 - c) WGCA Rules and By-Laws.

7.6.2 The Child Safety Officer and/or Members Protection Officer: -

- a) Shall be an appointed position (s).
- b) May receive an honorarium as determined by the Board of Management at the first meeting after the AGM each year, payable at the discretion of the Board.
- c) Shall sign a Members Protection Declaration.
- d) Must at all times hold a valid Working With Children's Check.

7.7 ADDITIONAL OFFICERS

7.7.1 The Board of Management may create additional roles, if necessary, to manage particular situations that may arise from time to time.

7.7.2 The Board of Management may set an honorarium for these positions should it be deemed necessary

C 8 COMMITTEES / SUB-COMMITTEES

8.1 All Committee nominees shall be approved by the Board of Management and be responsible to the Board of Management.

8.2 The Chairperson of each committee shall be a nominated member of the Board of Management. (Refer C5 Duties of Board of Management and C6.6 Duties of Junior Cricket Manager)

8.3 No Club may be represented by more than one (1) nominated member on any committee, except if authorised by Board of Management and where only one representative of any club may vote.

8.4 Each committee shall have the power to co-opt members, subject to approval by the Board of Management, if necessary, to fill vacant positions.

8.5 All nominations to committees shall be confirmed by the Delegates.

8.6 Quorums for all Committee Meetings shall be two thirds (2/3) of the nominated members.

- a) A committee member may be taken as present at a meeting using technology that allows clear and simultaneous communication with members.

8.7 Committee members must exercise their powers and discharge their duties with reasonable care and diligence, in good faith in the best interests of the Association and for a proper purpose.

8.8 WGCA COMMITTEES: -

8.8.1 FIXTURES COMMITTEE

- a) The Chairperson shall be the WGCA Fixtures Coordinator as per (Refer C5 Duties of Board of Management and C6 Duties of Fixtures Coordinator)
- b) Shall include at least 2 other nominated Club Members.
- c) Duties of the Fixtures Committee shall be to arrange all Home & Away season and Finals matches.

8.8.2 SENIOR CRICKET COMMITTEE

- a) The Senior Committee will be responsible for all senior activities in the WGCA and shall report to the Board of Management or its Executive. All changes to WGCA Senior Rules

- or By-laws will be approved by the Board of Management &/or the club delegates in the manner prescribed in the WGCA Constitution.
- Refer to C22 Alterations of Rules
- b) The Senior Cricket Committee shall be appointed in accordance with C 8 Committees/ Sub-Committees, and shall include the Vice President- Senior Cricket, and at least 3 but no more than 5 other Club Representatives, after expressions of interest have been sought, which shall be submitted via email to the WGCA Secretary.
- The Chairperson shall be the WGCA Vice President Senior Cricket
 - C 6 Duties of the Board of Management.
- c) If no members or an insufficient number of members can be appointed from the clubs, then the Board of Management people can be sought to fill the committee.
- d) The Senior Cricket Committee shall meet throughout the year as required and conduct senior business in accordance with C8 Committees, including but not limited to: -
- Budgets/Sponsorship
 - Senior Competition, including finals
 - Representative Cricket
 - Disputes, Grievances and Incidents and Disciplinary Actions
 - Rules and Bi-Law Review
 - Strategic Plan Objectives
 - Senior Presentation

8.8.3 JUNIOR MANAGEMENT COMMITTEE

The Junior Management Committee Shall be responsible for Governance of Junior Cricket as per C9 Governance of Junior Cricket.

8.8.4 WGCA SUB-COMMITTEES: - (Excludes Disciplinary Sub-Committees)

Shall operate under the same guidelines as Committees with following exceptions: -

- a) Shall be chaired by a member of their governing committee and shall be responsible to that committee.
- b) Shall not co-opt members.
- c) Shall report to their governing committee a summary of meetings held including business discussed and recommendations made which shall be included in the minutes of the next scheduled meeting of the governing committee.

8.8.5 ADDITIONAL COMMITTEES

The Board of Management may establish additional committees to manage situations that may arise, co-opting members with terms of reference it considers appropriate.

C 9 GOVERNANCE OF JUNIOR CRICKET (Junior Management Committee)

- 9.1 The Junior Management Committee will be responsible for all junior activities in the WGCA and shall report to the Board of Management or its Executive. All changes to WGCA Junior Rules or By-laws will be approved by the Board of Management &/or the Club Delegates in the manner prescribed in the WGCA Constitution.

- Refer to C22 Alterations of Rules

- 9.2 The Chairperson shall be the WGCA Junior Cricket Manager as per C 6 Duties of the

Board of Management.

- 9.3 The Junior Management Committee shall be appointed in accordance with C 8 Committees/ Sub-Committees, and shall include the Women's Cricket Coordinator, Junior Representative Cricket Coordinator, and at least 2 but no more than 3 other Club Representatives. after expressions of interest have been sought, which shall be submitted via email to the WGCA Secretary.
- a) If no members or an insufficient number of members can be appointed from the clubs, then the Board of Management may assume control of the junior competition until such time as enough appropriate people can be sought to fill the committee.
- 9.4 The Junior Management Committee shall meet throughout the year as required and conduct junior business in accordance with C8 Committees, including but not limited to: -
- a) Junior Budget/Sponsorship
b) Junior and Girls Competition, including finals
c) Level Entry Programs
d) Junior Representative Cricket
e) Junior Permits, Disputes, Grievances and Incidents and Disciplinary Actions
f) Rules and Bi-Law Review
g) Strategic Plan Objectives
h) Junior Presentation
- 9.5 JUNIOR REPRESENTATIVE CRICKET COMMITTEE: - Sub-Committee**
- 9.5.1 The Junior Representative Cricket Committee shall be appointed in accordance with C 12 Committees, and shall include the Junior Representative Coordinator, and at least 2 but no more than 3 other Club Representatives, after expressions of interest have been sought, which shall be submitted via email to the WGCA Secretary.
- 9.5.2 Shall report to the Junior Management Committee and conduct Junior Representative Cricket business in accordance with C8.8.4 Sub Committees, including but not limited to: -
- a) Advertising Representative Coaches and recommending suitable nominations
b) Coordinating tryouts, Team Selection and Training
c) Coordinating uniforms and fees
d) Coordinate Interleague Matches
- 9.6 The Junior Management Committee will meet with all member clubs' Junior Coordinators where necessary during the cricket season to report on activities.

C 10 MEMBERSHIP

- 10.1 The Members of the Association shall consist of such Clubs and West Gippsland Umpires Association (WGCUA) that are admitted to the Association at the Annual or Affiliation Meeting of Delegates, or a Special Meeting convened for the purpose.
- 10.2 The Association shall admit clubs and WGCUA to the membership by consent of three quarters (75%) of delegates present at the meeting.
- 10.2.1 The following conditions must be met prior to admittance being granted:
- a) That the Member is incorporated.
b) That the Member agrees to pay all fees fixed by the Association.
- Payment must be in the hands of the Treasurer by 6 pm on the first day of November or all points gained prior to payment may be forfeited.

- Or if a Member opts to pay in two instalments, the second instalment must be in the hands of the Treasurer by 6 pm on the first day of December.
 - Late payment of the second instalment may mean loss of points from previous payment due date for Club Members.
- c) That the Member abides by the Constitution, Rules and By-Laws made by the Association:
- d) Agrees to play on grounds approved by the Association:
- e) All applications must be in writing to the Secretary of the Association at least 14 days prior to the Annual or Affiliation Meeting or at a meeting convened for the purpose.
- f) Any Member which is indebted or owes money to the Association at the time of the Annual General Meeting shall forfeit the right to membership and all membership rights.
- 10.3 If the Association deems it necessary in its own interest to exclude any Member, such exclusions may be effected by a three quarters majority at any Annual or Affiliation Meeting of the Association.
- 10.4 The Association shall not permit any Member to withdraw or resign from its membership without first having received an application in writing from the club concerned at least 14 days prior to any meeting convened for the purpose of dealing with the matter and without at least three quarters of the delegates present at the meeting consenting.
- 10.5 The Association shall not permit any Member whose membership has ceased for any reason whatsoever, to retain any right or interest or claim on or in the Association unless and until it has been regularly re-admitted to its membership.
- 10.6 The Association shall reserve the right to review at any time the position of any of its Members and may, by consent of three quarters of delegates present at a meeting convened for the purpose, exclude, expel, or otherwise deal with such clubs and may fill the vacancy as it thinks fit.

10.7 LIFE MEMBERS

- 10.7.1 The Association may elect as an Honorary Life Member any person who has rendered special service to the West Gippsland Cricket Association, by resolution carried by two thirds 2/3 (66.7%) of Members Present at the AGM.
- No more than 2 Life memberships shall be considered in any year
 - Nominations must be forwarded in writing to the WGCA Secretary no later than 14-days prior to the Annual Meeting
 - Life Members shall have all rights and privileges of Members of the Association
 - Life Members shall not be required to pay affiliation fees.
- 10.7.2 Criteria: -
- a) Minimum 10 years special service to the WGCA.

C11 ANNUAL GENERAL MEETING OF DELEGATES

- 11.1 The Annual Meeting of Delegates shall be held no later than MAY 31st in each year.
- 11.1.1 Fourteen days' or 21-Days' (If a Special Resolution is to be proposed) notice shall be given to the Secretary of each member.
- Refer to C22 Alterations of Rules

11.1.2 Nominations for all elected positions must be in writing on the official WGCA nomination form and be in the hands of the Secretary of the Association 24-hours prior to election.

- a) The WGCUA Umpires Representative shall be nominated by the WGCUA Executive.

11.2 The ordinary business of the Annual Meeting shall be:

- a) To confirm the minutes of the previous AGM and of any Special General Meeting held since then
- b) To receive and consider an Annual Report on the preceding season's activities from but not limited to the President, Secretary and the Fixtures Coordinator, Junior Cricket Manager, and Female Cricket Manager and WGCUA Umpires Representative.
- c) To receive and consider the audited financial statements of the WGCA for the proceeding financial year submitted by the Board of Management in accordance with Part 7 of the act.
- Refer to C6. Duties of Secretary
 - Refer to C6. Duties of Treasurer
 - Refer to C18 Financial Matters
- d) To elect the members of the Board of Management.
- Year 1 President/Treasurer/Junior Cricket Manager/Fixtures Coordinator
 - Year 2 Vice President Senior Cricket/Secretary/Female Cricket Manager/WGCUA Umpires Representative
- e) To appoint an Auditor for the coming year
- f) To appoint an Honorary Solicitor who shall represent the Association.
- g) To consider granting up to two life memberships. Nominations must be forwarded in writing seven days prior to the Annual Meeting.

11.3 The Delegates to the Association at the Annual General Meeting shall be the President and the Secretary of each Affiliated Member or their approved proxies.

- a) A Delegate member may be taken as present at a meeting using technology that allows clear and simultaneous communication with members.

11.4 Each Member has only one vote when any motion is put to the meeting.

11.5 All motions for the Annual General Meeting must be submitted in writing at least 14 days prior to the meeting unless it pertains to a matter otherwise covered in this constitution.

11.6 The quorum for the Annual General Meeting shall consist of one Delegate from more than half of the Members affiliated with the Association.

11.7 Members failing to attend meetings shall be fined as per By-law Summary of Fines at the discretion of the Board of Management.

C 12 AFFILIATION MEETING OF DELEGATES

12.1 The Affiliation Meeting of Delegates shall be held in August each year.

12.2 Fourteen days or 21-Days' (If a Special Resolution is to be proposed) notice shall be given to the Secretary of each club.

- Refer to C22 Alteration Of Rules

- 12.3 The ordinary business Affiliation Meeting shall be:
- a) To receive team nominations for the coming season which must have been forwarded in writing to the Secretary of the Association at least 48-hours prior to this meeting.
 - b) To adopt a budget for the forthcoming season.
 - c) To fix Affiliation Fees for the forthcoming season.
 - d) To fix Umpires fees for the forthcoming season.
 - e) To appoint the Bankers for the forthcoming season.
 - f) To confirm appointments recommended by the Board of Management.
- 12.4 The delegates to the Association at the Affiliation Meeting shall be the President and the Secretary of each Affiliated Member or their approved proxies.
- a) Any Delegate may move or second any motion, but each Member (Club/WGCUA) has only one vote when the motion is put to the meeting.
 - b) A Delegate Member may be taken as present at a meeting using technology that allows clear and simultaneous communication with members.
- 12.5 All motions for the Affiliation Meeting must be submitted in writing at least 14-days prior to the meeting unless it pertains to a matter otherwise covered in this constitution.
- 12.6 The quorum for the Affiliation Meeting shall consist of one member from more than half of the clubs affiliated with the Association.
- 12.7 Members failing to attend meetings shall be fined as per By-law Summary of Fines at the discretion of the Board of Management.

C 13 CLUB DELEGATES / PRESIDENTS MEETINGS

- 13.1 The President of the Association may call a Delegates or Club Presidents Meeting on any matter deemed of importance or on receipt of a requisition signed by the Presidents from more than a third of the Clubs/WGCUA.
- a) At such a meeting, club Presidents/Delegates may vote on any matter for which the meeting was convened. At least three such meetings shall be held in each calendar year.
- 13.2 The delegates to the Association will be the President and the Secretary of each Affiliated Member or their approved proxies.
- a) A Delegate Member may be taken as present at a meeting using technology that allows clear and simultaneous communication with members.
 - b) Any delegate may move or second any motion, but each Affiliated Member has only one vote when the motion is put to the meeting.
- 13.3 The quorum at all Delegates/Clubs Presidents meetings shall consist of one member from more than half of the clubs affiliated with the Association.
- 13.4 Clubs failing to attend meetings shall be fined as per By-law Summary of Fines at the discretion of the Board of Management.

C 14 FINES & AND PENALTIES

- 14.1 The Board of Management or its Executive, shall have the right to impose Fines or Penalties on any Affiliated Club, Player, Club Official, Team Official, Umpire, Volunteer, Parent, or Supporter upon substantiating a Breach of WGCA Rules and Regulations.

- 14.2 Fines imposed may include but are not limited to those set out in the WGCA Rules and By-Laws.
- 14.3 Penalties imposed may include but are not limited to a: -
- a) Written Warning
 - b) Reprimand
 - c) Suspended Sentence
 - d) Match Suspension
 - e) Loss of Match Points

C 15 DISCIPLINARY ACTION

- 15.1 The WGCA Board of Management may take disciplinary action against an affiliated club, club official, player, team official, umpire, volunteer, parent, or supporter in accordance with this rule if it is determined they: -
- a) have failed to comply with the rules and regulations of the WGCA including but not limited to the Constitution, Rules, By-Laws, and Policies.
 - b) refuse to support the purpose of the WGCA.
 - c) have been deemed to have brought the WGCA into disrepute.

15.2 DISCIPLINARY SUB-COMMITTEE

- 15.2.1 If the Board of Management is satisfied there are sufficient grounds for taking disciplinary action against an affiliated club, club official, player, team official, umpire, volunteer, parent, or supporter, they may appoint a Disciplinary Sub-Committee to hear the matter and determine what action, if any, to take against the member.
- 15.2.2 The Members of the Disciplinary Sub-Committee: -
- a) May be Board Members, members of the Association, or anyone else.
 - b) Must not be biased against, or in favour of the member concerned.

15.3 NOTICE TO MEMBER: -

- a) Before disciplinary action is taken against a member, the Secretary must give written notice to the member and affiliated club: -
 - Stating that the Association proposes to take disciplinary action against the member
 - Stating the grounds for the proposed disciplinary action.
 - Specifying the date, place, and time of the Disciplinary Meeting at which the Disciplinary Sub Committee intends to consider the disciplinary action.
 - Advising the member that he or she may do one or both of the following:
 - (i) attend and address the Sub-Committee
 - (ii) give a written statement to the Disciplinary Sub-Committee at any time before the disciplinary meeting
 - Setting out the member's appeal rights under C15.5
- b) The notice must be given no earlier than 28-days, and no later than 14-days, before the disciplinary meeting is held.

15.4 DECISION OF DISCIPLINARY SUB-COMMITTEE

- 15.4.1 At the Disciplinary Meeting, the Disciplinary Sub-Committee must:
- a) Give the member an opportunity to be heard

- b) Consider any written statement submitted by the member
- c) Be guided by Disciplinary Processes of WGCA By-Laws and Policy

15.4.2 The Disciplinary Sub-Committee may: -

- a) Take no further action against the member
- b) Reprimand the member
- c) Fine or Penalise the member as per C14.3 Fines and Penalties
- d) Suspend membership rights for a specified period.
- e) Expel the member from the Association

15.4.3 The suspension of membership rights or the expulsion of a member by the Disciplinary Sub-Committee under this rule takes effect immediately after the vote is passed.

15.5 APPEAL RIGHTS

15.5.1 A person whose membership rights have been suspended, has been expelled from the Association, or otherwise penalised may give notice to the effect that he or she wishes to appeal against the suspension, expulsion, penalty.

15.5.2 The notice must be in writing and given: -

- a) To the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken
- b) Or to the Secretary not later than 48 hours after the vote

15.5.3 If a person has given notice under 15.3.2 a Disciplinary Appeal Meeting must be convened by the Board of Management as soon as practicable, but in any event not later than 21-days, after the notice is received.

15.5.4 Notice of the Disciplinary Appeal Meeting must be given to each Club of the Association who is entitled to vote and the person appealing as soon as practicable and must: -

- a) Specify the date, time, and place of the meeting
- b) State the name of the person against whom the disciplinary action has been taken
- c) State the grounds for taking that action
- d) State that at the Disciplinary Appeal Meeting the members present must vote on whether the decision to suspend, expel, or otherwise penalise the person should be upheld or revoked.
- e) Specify that only one delegate per club shall attend.
- f) Specify that a club delegate must be different to anyone who may have served on the initial Disciplinary Sub-Committee

15.6 CONDUCT OF DISCIPLINARY APPEAL MEETING

15.6.1 At a Disciplinary Tribunal Appeal Meeting: -

- a) No business other than the question of the appeal may be conducted
- b) The Board of Management must state the grounds for suspending, expelling, or penalising the member and the reasons for taking that action
- c) The person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.

- 15.6.2 The members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- a) A member may not vote by proxy at the meeting.
- 15.6.3 The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

C 16 GRIEVANCE PROCEDURE

The following procedure shall be adopted where a dispute arises between members of the Association, a member and the Board of Management or a member and the Association.

- 16.1 A Grievance Procedure may not be initiated while a matter is subject to Disciplinary Procedure until it has been completed.
- 16.2 Parties to a dispute must attempt to resolve the dispute between themselves within 14-days of the dispute coming to the attention of each party.
- 16.3 If the parties are unable to resolve the dispute within the specified time the parties must notify the WGCA Secretary and agree to the appointment of a mediator and attempt in good faith to resolve the dispute by mediation.
- 16.4 The mediator must be: -
- a) Agreed to by the parties
- b) In the absence of agreement: -
- may be appointed by the Board of Management if the dispute is between and another member
 - if the dispute is between a member and the Board or the Association it can be a person appointed or employed by the Dispute Settlement Centre of Victoria.
- 16.5 A Mediator appointed by the Board may be a member or former member of the Association but in any case, must not be a person who: -
- a) Has a personal interest in the dispute
- b) Is biased in favour of or against any party

16.6 MEDIATION PROCESS: -

- a) Each party must have opportunity to be heard in the process.
- b) Any written statement must be considered by all parties.
- c) Natural Justice shall be accorded to all parties involved.
- d) The Mediator must not determine the dispute.
- 16.7 If the process does not resolve the dispute, parties may seek resolution within the Act or otherwise at law.

C 17 FINANCIAL MATTERS

17.1 SOURCE OF FUNDS: -

The funds of the Association shall be derived from membership subscriptions, donations, fund-raising activities, grants, interest, and such other sources as the Board of Management determines.

- 17.2 That for the purpose of the annual audit, the financial year of the Association be from May 1st to April 30th

17.3 MANAGEMENT OF FUNDS: -

- 17.3.1 The Association must open an account with a financial institution from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.
- 17.3.2 Subject to any restrictions imposed by a Club Delegates meeting of the Association, the Board of Management may approve expenditure on behalf of the Association.
- 17.3.3 The Board may authorise the Treasurer to expend funds on behalf of the Association (including by electronic funds transfer) up to a specified limit without requiring approval from the Board for each item on which the funds are expended.
- 17.3.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 committee members.
- 17.3.5 All funds of the Association must be deposited into the financial account of the Association no later than 5 working days after receipt.
- 17.3.6 With the approval of the Board, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

17.4 FINANCIAL RECORDS: -

- 17.4.1 The Association must keep financial records that—
- a) Correctly record and explain its transactions, financial position, and performance.
 - b) Enable financial statements to be prepared as required by the Act.
- 17.4.2 The Association must retain the financial records for 7 years after the transactions covered by the records are completed.
- 17.4.3 The Treasurer must keep their custody, or under their control: -
- a) The financial records for the current financial year.
 - b) Any other financial records as authorised by the Board of Management.

17.5 FINANCIAL STATEMENTS: -

- 17.5.1 For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the Association are met.
- (a) The preparation of the Financial Statements.
 - (b) The review and auditing of the Financial Statements.
 - (c) The certification of the Financial Statements by the Board.
 - (d) The submission of the Financial Statements to the Annual General Meeting of the Association.
 - (e) The lodgement with the Registrar of the Financial Statements and accompanying reports, certificates, statements, and fee.

- Refer to C6.3 Duties of the Secretary
- Refer to C6.4 Duties of the Treasurer

C 18 CUSTODY OF RECORDS AND INSPECTION OF BOOKS AND RECORDS

18.1 Members may on request inspect free of charge: -

- a) The register of members
- b) The minutes of general meetings
- c) The financial records, books, securities, and any other relevant document of the Association, including minutes of Committee meetings.
 - The Board of Management may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.

18.2 The Board of Management must on request make copies of these rules available to members and applicants for membership free of charge.

18.3 A member may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.

18.4 For purposes of this rule—

Relevant documents means the records and other documents, however compiled, recorded, or stored, that relate to the incorporation and management of the Association and includes the following—

- (a) its membership records
- (b) its financial statements
- (c) its financial records
- (d) records and documents relating to transactions, dealings, business, or property of the Association.

18.5 COMMON SEAL: -

18.5.1 The Association may have a common seal.

18.5.2 If the Association has a common seal—

- a) the name of the Association must appear in legible characters on the common seal.
- b) a document may only be sealed with the common seal by the authority of the Committee and the sealing must be witnessed by the signatures of two committee members.
- c) the common seal must be kept in the custody of the Secretary.

C 19 INTERPRETATION OF RULES

19.1 The Association through the Board of Management or its Executive shall have the sole right to interpret this Constitution and the Local Playing Rules and By-Laws drawn up from time to time and to act in any manner not covered by the Constitution so long as the matter is reported to the clubs at the earliest convenience either in writing or verbally at the next meeting of the delegates.

19.2 In this Constitution the words “the Act” means the Associations Incorporation Reform Act 2012 and “the Regulations” means regulations under the Act.

C 20 WINDING UP and CANCELLATION

- 20.1 The Association may be wound up voluntarily by special resolution.
- 20.2 In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.
- 20.3 Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the Association and which is not carried on for the profit or gain of its individual members.
- 20.4 The body to which the surplus assets are to be given must be decided by Special Resolution.

C 21 ALTERATION OF RULES

21.1 CONSTITUTION

Amendments or additions to the Constitution shall only be altered at any Annual General Meeting, Affiliation Meeting, Club Delegates Meeting or at a Special Meeting (i.e. Junior Coordinator meeting) if: -

- a) A Special Resolution.
- b) A minimum of 21-days' notice is given to all affiliated clubs.
- c) A Special Resolution is passed if at least three quarters 3/4 of the Members (Clubs/WGCUA) present, vote in favour for the proposed change.
- d) **Note:** An alteration of Constitution does not take effect unless or until it is approved by the Registrar.

21.2 RULES AND BY-LAWS

21.2.1 Amendments or additions to the Senior Playing Rules and By-Laws may altered at any Annual General, Affiliation or Delegates meeting if: -

- a) A minimum of 14-days' notice is given to all Affiliated Members.
- b) A Resolution is passed if at least two thirds 2/3 of the Affiliated members present, vote in favour for the proposed change.

21.2.2 Alterations to WGCA Junior Rules or By-Laws shall be approved by the Board of Management and/or Club Delegates.

- Refer to C9 Governance of Junior Cricket

21.2.3 The Board of Management shall have the right to add, remove or amend any Senior Rule or By-Law should the need arise during the season (Oct- Mar), so long as any changes are notified in writing to all affiliated clubs within 7-days of the change occurring.

C 22 ADOPTION DATE

22.1 This foregoing Constitution of the W.G.C.A. was adopted at the Affiliation meeting of the WGCA, held on 31/08/2021.

22.2 Previous Versions: -

- Adopted 16th September 2020
- Adopted 16th July 2018