

CENTRAL WEST CRICKET COUNCIL



BY-LAWS

as amended 20 June 2022

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APPLICATION

These By-laws supersede all previous editions and are in force from the date of adoption until amended by the Council.

1. COLOURS

The colours of the Council will be lime green, black and white.

2. RULES AND RESEARCH SUB-COMMITTEE

- a) The Rules & Research sub-committee shall consist of such numbers as may be determined each season and shall be appointed by the Committee of Management.
- b) The duties of the sub-committee shall be to review the Constitution, By-Laws, Competition Rules and Playing Conditions of the Council from time to time, and to consider any amendment, addendum or deletion, as recommended by any Affiliate.

3. DEVELOPMENT GRANTS

The Committee of Management will be responsible for assessing all applications for development grants.

4. REPRESENTATIVE COORDINATOR

The Committee of Management shall appoint a Representative Coordinator. The term of appointment shall be as determined by the Committee of Management.

The duties of the Representative Coordinator shall be to:

- a) provide administrative assistance to the Regional Coach with regard to representative teams and training squads of the Council.
- b) Organise clothing for all Central West Cricket Council representative teams
- c) Assist the coaches and managers with match day arrangements for Central West junior representative teams.

5. REPRESENTATIVE TEAMS

5.1 Senior Selection Panel

- a) The Senior selection panel of the Council shall:
 - (i) be appointed by the Committee of Management each season, and
 - (ii) consist of a minimum of 3 persons
- b) The Chairperson of the Panel shall be appointed by the Committee of Management from the panel members.
- c) The duties of the panel will be to select such teams as required by the Council.

5.2 Junior Selection Panels

- a) The Junior selection panel/s shall:
 - (i) be appointed by the Committee of Management each season, and
 - (ii) consist of such numbers in each age group as may be determined each season

- b) Each panel shall be headed by the Regional Coach, who shall act as Convenor of the panel.
- c) The duties of the panel will be to select such junior representative teams as may be required by the Council.

5.3 Team officials

- a) The Committee of Management will appoint a manager and coach/es as required for each representative team of the Council.

6. FEES AND UN-FINANCIAL ASSOCIATIONS

6.1 Affiliation fee

Each affiliated association shall pay an annual affiliation fee of \$5, which shall be invoiced with the levy noted in 6.2 below.

6.2 Levy on associations

The levy imposed on affiliated associations to cover the estimated costs of the Council, and on non-affiliated associations with team/s participating in a Council organised competition/s, shall be paid no later than 31 December in each year.

Such levies shall be determined by the Committee of Management each year.

6.3 Un-financial association

- a) An association shall be deemed un-financial if it has not paid its levy by the stipulated date each year. A fine of \$50 shall be automatically applied after the stipulated date has passed.
- b) If the monies are not paid within 30 days, the association concerned may, at the discretion of the Committee, be automatically suspended from participating in any Council approved match/s until such monies, plus relevant fines are paid.
- c) Any amount not paid for umpire fees, either directly with the Mitchell Cricket Umpires Association or indirectly through the Council, shall make that cricket association unfinancial with the Council, in the same manner as sub-clause (b) above, subject to notification being received from the Mitchell Cricket Umpires Association where applicable.

7. UMPIRE APPOINTMENTS AND FEES

7.1 Appointment of Umpires

- a) All umpire appointments for preliminary round matches shall be made by the relevant Council level cricket umpires association (eg. for matches played within the area of Central West Cricket Council, that shall be the Mitchell Cricket Umpires Association). The Mitchell Cricket Umpires Association shall make all appointments for the finals.
- b) Only one umpire is required to be appointed for the preliminary rounds of the junior competitions, unless the home association wishes to have a second umpire appointed. Two umpires are to be appointed for all junior finals matches and for all senior matches.

7.2 Umpire fees

- a) Each team shall be liable for half of the total umpires' fees for a match, with the following exceptions:
 - (i) The home team shall be liable for the full fee for the second appointed umpire in preliminary round matches of the junior competitions, and
 - (ii) The Council shall pay the umpire fees for the Final of any competition.
- b) All claims for umpires' fees are to be made by the respective Cricket Umpires Association.

8. ANNUAL GENERAL MEETINGS OF AFFILIATES

It shall be incumbent on each Affiliate to hold their annual general meeting prior to the Council's annual general meeting.

9. HONORARIUM

Honorarium will be submitted for consideration and acceptance at the Annual General Meeting each year. Any reasonable expenses incurred after the setting of honoraria is to be submitted to the Committee of Management for consideration. Honorarium will be in arrears paid immediately prior to the end of the Council's financial year on completion of the set tasks.

10. DISPUTES AND PROTESTS

- a) Any Affiliate desiring the Council to adjudicate on any dispute or protest relating to any match conducted by the Council:
 - (i) must forward to the Honorary Secretary of the Council by 5:00pm on the third working day following the completion of the disputed match, a clear statement in writing, of the matter in dispute or under protest, signed by the Secretary of the Affiliate, and
 - (ii) must be accompanied by a fee of \$25, which is non-refundable.
 - b) The Committee of Management shall deal with all such matters.
 - c) Hearings shall be open to the presence of all affected parties, who shall be permitted to make oral and written representations in relation to the matter at hand.
 - d) Any person required by the Committee of Management to attend a hearing shall be, at least three working days before the date of the hearing given a notice specifying the place, date and time of the hearing and the nature of the matter being heard. Should the person, or persons, fail to attend such hearing judgement may be given in their absence.
 - e) Any penalties imposed are effective under the By Laws of NSWCA & NSWCCA for any competition conducted under the auspices of an affiliate of the NSWCA & NSWCCA.
 - f) Appeals against the decision of the Committee of Management must be lodged with the Secretary of Central West Cricket Council by 5pm on the third working day following notification of the Committee of Management's decision. The Secretary shall forward the appeal on to the Western Cricket Zone for their consideration.
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- g) For the purpose of these By-Laws, a notice is taken to have been given or served in accordance with Clause 40 (Service of notices) of the Central West Cricket Council constitution.

11. CODE OF CONDUCT

11.1 Persons bound by the code of conduct

The following persons must comply with the Code of Conduct:

- a) players (including those who act as substitute fielders) who participate in matches organised by the Council;
- b) umpires who participate in matches organised by the Council;
- c) persons who are in attendance at matches organised by the Council and who are members of bodies which elect or are represented by Delegate Members of the Council;
- d) persons who are in attendance at matches organised by the Council and who are members of any of the Affiliates;
- e) persons who are in attendance at matches organised by the Council and who are office-bearers of bodies which elect or are represented by Delegate Members of the Council;
- f) persons who are in attendance at matches organised by the Council and who are office-bearers of any of the Affiliates;
- g) players (including those who act as substitute fielders) who play in teams representing the Council or are selected by a selection committee of the Council;
- h) persons who are in attendance at matches involving teams representing the Council or selected by a selection committee of the Council and who are members of bodies which elect or are represented by Delegate Members of the Council; and
- i) persons who are in attendance at matches involving teams representing the Council or selected by the selection committee of the Council and who are Committee Members of the Council.

11.2 Breaching the code

- a) No person bound by this Code of Conduct shall engage in disorderly or improper conduct or behaviour.
- b) A person who engages in disorderly or improper conduct or behaviour breaches this Code of Conduct.
- c) Disorderly or improper conduct or behaviour includes, but is not restricted to, a person:
 - (i) assaulting or attempting to assault, or abusing, either orally or physically, an umpire, player or spectator;
 - (ii) disputing, as distinct from questioning, an umpire's decision, or reacting in an obviously provocative manner towards an umpire;
 - (iii) using crude or abusive language, or hand signals or other gestures;
 - (iv) engaging in any form of conduct or behaviour detrimental to the spirit of the game or likely to bring the game into disrepute; or

- (v) refusing to supply that person's name and that person's address when required by another person who is lodging a report.
- d) The captain of a team shall ensure that the players (including the person acting as substitute fielder) comply with the Code of Conduct.
- e) The captain of a team breaches the Code of Conduct if a player in that team engages in continuing disorderly or improper conduct or behaviour.
- f) This Code applies to conduct both on and off the field.

11.3 No media involvement

- a) Central West Cricket Council insists that there be no media involvement regarding matters involving a breach or an alleged breach of the Code of Conduct until such matters are concluded and/or all avenues of appeal are exhausted. Any person(s) or bodies breaching this By-Law will be charged with acting contrary to the interests of the game and/or bringing the game into disrepute.
- b) Any request for information or discussion regarding such matters is to be directed in writing to the Secretary, Central West Cricket Council or the appropriate governing body.

12. CODE OF CONDUCT COMMISSIONER

12.1 Appointment of Commissioner

- a) There shall be a Commissioner called the Code of Conduct Commissioner who shall be appointed by the Committee of Management and the appointment ratified at the Annual General Meeting.
- b) If the Committee of Management so determines, it may appoint an Assistant Commissioner called the Assistant Code of Conduct Commissioner to assist the Commissioner in the discharge of the Commissioner's duties and to act as the Commissioner should the Commissioner be unavailable to so act.
- c) An Assistant Commissioner appointed pursuant to subclause (b), has the powers, duties and functions of the Commissioner.
- d) The term of appointment of the Commissioner and any Assistant Commissioner shall be as determined by the Committee of Management.
- e) A reference in these By-Laws to Commissioner, includes where appropriate, a reference to Assistant Commissioner.

12.2 Qualifications for Appointment as Commissioner

The qualifications for appointment to the positions of Commissioner and Assistant Commissioner shall be as determined by the Committee of Management.

12.3 Powers of the Commissioner

- a) The Commissioner shall have power to:
 - (i) receive, investigate, examine and consider all reports alleging a breach of the Code of Conduct;
 - (ii) determine whether:
 - (A) no action is to be taken against the Person Reported;

- (B) the Person Reported is to be given a caution; or
 - (C) the Person Reported is to be given or offered a suspension, disqualification or other penalty; or
 - (iii) lay a charge against the Person Reported and have the matter proceed to a hearing before the Judiciary Committee;
 - (iv) present the case against the Person Reported in any hearing before the Judiciary Committee;
 - (v) appeal to the Western Zone Committee against a decision of the Judiciary Committee; and
 - (vi) appear before the Western Zone Committee at the hearing of any appeal against a decision of the Judiciary Committee.
- b) The Commissioner may exercise all or any of the above powers.

13. JUDICIARY COMMITTEE

13.1 Establishment of the Judiciary Committee

There shall be a Judiciary Committee which shall be called the Central West Cricket Council Judiciary Committee.

13.2 Election of Judiciary Committee members

- a) Each year, at the Annual General Meeting, the Members shall:
 - (i) determine the number of persons to be elected as Judiciary Committee Members for the coming year;
 - (ii) elect the Judiciary Committee Members for the coming year; and
 - (iii) elect from among those Judiciary Committee Members the chairperson of the Judiciary Committee for the coming year.
- b) The election of Judiciary Committee Members shall be conducted in such usual and proper manner as the chairperson of that meeting may direct.

13.3 Eligibility of candidates

- a) Candidates for election as Judiciary Committee members may be but need not be Members.
- b) Retiring Judiciary Committee Members may be candidates for re-election.

13.4 Nominations of candidates

- a) Candidates for election at the Annual General Meeting as Judiciary Committee members shall be orally nominated during the course of that meeting by those Members present.
- b) It shall not be necessary to list the names of candidates seeking election as Judiciary Committee members in any notice convening the Annual General Meeting.

13.5 Filling vacancies

- a) If the number of persons elected as Judiciary Committee members of the Annual General Meeting is less than the number of persons that the Annual General Meeting resolves should comprise the Judiciary Committee then the Committee

may appoint a person or persons to the Judiciary Committee to fill the vacancy or vacancies.

- b) If a member or members of the Judiciary Committee elected at the Annual General Meeting have a potential conflict of interest with regard to matters before the Judiciary Committee, then the Committee may appoint a person or persons to the Judiciary Committee to fill the vacancy or vacancies with regard to the matters at hand.

13.6 Powers of the Judiciary Committee

- a) The Judiciary Committee shall not take any action against a person unless that person has been charged with a breach of the Code of Conduct by the Commissioner.
- b) The Judiciary Committee shall have the power to take the following action against the persons identified in By-Law 11.1, if the Judiciary Committee determines in accordance with the provisions of these Rules that such person has breached the Code of Conduct:
 - (i) censure that person;
 - (ii) suspend that person from participating in matches organised by the Council for a specific period;
 - (iii) disqualify that person from being eligible to participate in matches organised by the Council for a specific period, for an indefinite period or for life;
 - (iv) suspend that person from participating in teams representing the Council or from exercising any administrative function in relation to such teams for a specific period; and
 - (v) disqualify that person from being eligible to participate in teams representing the Council or from exercising any administrative function in relation to such teams for a specific period, for an indefinite period or for life, and shall have the power to suspend any penalty.

13.7 Effect of penalties imposed by the Judiciary Committee

- a) No replacement player or substitute is allowed for any player who has been suspended or disqualified by the Judiciary Committee or by the Code of Conduct Commissioner during the course of a match.
- b) Any person, who has been suspended or disqualified or otherwise dealt with by the Judiciary Committee and not completely exonerated by the appellate body on appeal may, at the discretion of the Judiciary Committee:
 - (i) be prohibited from acting in any administrative position or as an office-bearer of the person's association;
 - (ii) be prohibited from acting as captain of any team taking part in any match conducted by the Council;
 - (iii) be prohibited from acting as captain of any team which represents the Council;
 - (iv) not be eligible to act as a Delegate Member or as an office-bearer of the Council,until the annual general meeting held after the expiration of the suspension or disqualification.

13.8 Suspended players

- a) Any player who has been suspended by the Judiciary Committee or by any other properly constituted cricket disciplinary authority will be ineligible for selection during the period of the suspension in any team in a competition conducted by the Council or in any team selected by or representing the Council.
- b) For the purpose of (a), the period of suspension shall be:
 - (i) The period from the first date until the last date, both dates inclusive, where a time period suspension is imposed; and
 - (ii) Each day of play of a match where a match based suspension is imposed. Where a match is not played due to inclement weather or for any other reason, the original scheduled days of play shall constitute the period of suspension.
- c) Any player who has been suspended by the Judiciary Committee or by any other properly constituted cricket disciplinary authority will be ineligible to be appointed or to act as captain of any team representing the Council until the commencement of the annual general meeting of the Council held after the expiration of the suspension.
- d) A player who lodges an appeal against a suspension imposed by the Judiciary Committee or any other properly constituted cricket disciplinary authority will be ineligible for selection in any team in a competition conducted by the Council or in any team selected by or representing the Council until the decision to suspend the player has been overturned or amended by the appellate body or the period of suspension has expired.

14. MATTERS NOT PROVIDED FOR

Matters not provided for herein shall be determined by the Committee of Management with consideration given to the current Rules and By-Laws of the NSW Country Cricket Association and the NSW Cricket Association, where applicable and suitable.