



BERWICK SPRINGS CRICKET CLUB BY-LAWS

1. General

- a. The executive committee and general committee shall manage the affairs of the Berwick Springs Cricket Club Inc. (BSCC), herein after called the "Executive" & "Committee".
- b. The Executive & Committee shall arrange and govern all competition matches
- c. The Executive shall appoint sub-committees where necessary to manage the affairs of the BSCC.
- d. The Executive shall consist of a President, Treasurer, Secretary. Where and when the Executive & Committee if they deem it necessary, they can add additional office bearer positions to meet the needs of BSCC including, but not limited to the following:
 - I. Vice President.
 - II. Vice-president of Juniors.
 - III. Assistant Treasurer and/or Secretary.
 - IV. Operations manager.
 - V. And the number of general committee member positions.
- e. A copy of the Constitution and the By-Laws will be held by the Secretary of club and will be available to members upon request;
 - I. BSCC takes no responsibility for members not accessing information, which has been distributed to them or can be obtained from the BSCC Secretary.
- f. The BSCC By-Laws have precedence over the BSCC Constitution.

2. Membership

All members of the BSCC acknowledge and agree that:

- a. The By-Laws and Constitution constitutes a contract between each of them and the BSCC and that they are bound by the Constitution and the Regulations;
- b. They shall comply with and observe the Privacy Policy, Constitution and By-Laws;
- c. By submitting to the Constitution and the By-laws they are subject to the jurisdiction of the BSCC;
- d. The Constitution and the By-laws are necessary and reasonable for promoting the purposes of the BSCC;
- e. They are entitled to all the benefits, advantages, privileges and services of their membership as determined by the Executive and Committee.
- f. All members must comply with the terms and conditions set out on the current members registration form;





- I. The Committee will approve a membership registration within 60 days business after the last AGM: The registration form will include:
 - i. Membership Categories.
 - ii. Membership Fees including payment dates
 - iii. Contact details.
 - iv. Medical details.
 - v. Terms & Conditions.
- II. No new registration will be permitted if a member has outstanding monies; fees.
- III. All registrations must include a parent/guardian or adult player signature in accordance with the members registration form.
 - i. A signature of a parent/guardian is only required for members under the age of 15 years.
 - ii. The signature of a parent/guardian does not give the parent/guardian voting rights.
 - iii. The BSCC may receive fees for memberships, but the contract between both parties is not complete until the registration form signed and dated.
- g. The Berwick Springs Cricket Club Committee must approve all member registrations.
 - i. The committee may nominate members of the committee who have the authority to approve registration only.
 - ii. Any membership recommended for rejection must be approved by a two-thirds majority of the whole committee;
 - a) The rejected member is to be notified in writing, but no reason is required for the rejection of the membership.
- h. The Berwick Springs Cricket Club may if necessary implement membership categories to suit the needs of the club. Including, but not limited to the following:
 - I. **Playing Member:**

A playing member participates in the playing activities of the club. They are entitled to hold any office and enjoy the privileges of the club.
 - II. **General/Social member:**

A person who is interested in promoting the club, but who do not wish to participate in the playing activities of the club. They are entitled to hold any office and enjoy the privileges of the club.
 - III. **Casual Playing Member:**

A Casual Playing member is a member who cannot participate in a whole season of the competition. They may only hold office bearing position and enjoy the privileges of the club if they comply with the conditions outline in Clause 2. (H). II & 2 (F). Hence, they need to be a General member as well.





- i. Any person under the age of 15 years shall have no voting rights nor entitled to hold any office on the Berwick Springs Cricket Club committee.
- j. Annual General Meeting (AGM) and/or Special General Meeting (SGM) voting rights are limited under clause 2(i) and to those members who aren't fully paid members by the date nominated on the current registration form and/or at the end of the current home & away season.
- k. Notwithstanding Clause 2(j) any member with outstanding fees at the time of the AGM and/or SGM are unable to vote and/or hold any office on the Berwick Springs Cricket Club Committee.
- l. In accordance with the Constitution Clause 32 and By-Law Clause 2(i) only members that are fully paid up will be recognized as signatories.

3. Playing Members

- a. All playing Members (PM) including Casual Playing Members (CPM) must be registered with both the relevant association and the BSCC prior to playing in a match.
- b. The BSCC committee will determine awards provided to members at the end of a season competition. The committee will provide a policy and/or standard that sets bench marks for the achievement of awards. This policy will be held by the secretary and will be available to members for review.
- c. All playing members must be a financial member by the date indicated on the current members registration form. A playing member will not be picked to play in competition matches if they are not a financial member at the date nominated on the registration form and/or haven't signed the registration form.
- d. Age groups for junior competitions will be taken from 31 August of the given year or in accordance with the relevant association in which the BSCC is competing. All junior players are to play within their age group for the given season, unless By-Law 3.f is applied.
- e. The BSCC committee can where required limit the number of players per junior team i.e. maximum of 12 players per team from U13, U15 & U17 grades.
- f. The BSCC committee can exercise the right to approve a junior player to play above his/her given age group. The committee does not have to provide a reason if the request is rejected.
- g. The Executive will select a Selection Chairperson to oversee the Senior competition selection process and/or sub-committee including, but limited to;
 - I. The BSCC Executive will approve the appointment of all coaches for competition teams.
 - i. All coaches have current Working with Children accreditation
 - ii. All Coaches must be willing to undertake approved coaching courses and accreditation if required.
 - iii. Assistant coaches and/or Team Managers must be (17) years old at the start of the given season.
 - II. The selection of team captains at all levels of competition





- h. The BSCC may grade teams in either senior or junior competition;
 - i. and all grading decisions are final without reason.
- i. The Executive retains the right to query any selection decision and make any required amendments to team lists to the benefit of the BSCC.
- j. The BSCC selection policy for senior playing members is available for review and held by the secretary of club.

4. Uniforms

The committee shall choose the uniform and update at its discretion.

5. Coaches

The BSCC Executive will appoint all coaches for competition teams.

6. Life Members

- a. The BSCC shall have the power to elect a life member. Such membership shall be awarded to those who have rendered special service to the BSCC.
- b. Nominations must be made to the Secretary of the BSCC in writing prior to the 31st January each year, giving a full outline of service and indicating at least ten years' service to the BSCC.
- c. The nomination shall be considered by a sub-committee, consisting of up to 4 members either Life Members or Executive members, appointed by the Committee
- d. The subcommittee shall recommend a nomination (No more than two per year), the Life Member shall be awarded at the Annual Senior Presentation Night or other suitable function.
- e. Life Members shall have the right to attend General Committee meetings, Special Meeting, Annual General Meetings, entering discussions and shall be entitled to a vote. They shall also have the right to attend Executive Meeting, entering discussions, but shall not have a vote.

7. Codes of Behavior

- f. The BSCC will adopt Codes of Behavior as prescribed in the relevant association, Cricket Victoria and/or Cricket Australia.
- g. All matters will be dealt with in accordance with the Competition Regulations as provided relevant association, Cricket Victoria and/or Cricket Australia.

8. Special Circumstances/Provisions Clause

- a. Where the By-Law and Constitution is silent and/or ambiguous, a decision can be made that ensures the integrity of the BSCC is maintained at all times by the Executive.





- I. The committee may in using its reasonable discretion, in exceptional or extenuating circumstance, alter, vary or waive the requirements set out in this By-Law and Constitution relating to The Berwick Springs Cricket Club Inc.

9. Indemnity

- a. Except where provided or provided by law and such cannot be excluded, The Berwick Springs Cricket Club and its respective directors, officers, members, servants or agents are absolved from all liability however arising from injury or damage, however caused, arising whilst participating as a member.

10. AGM

- a. All nominations for the executive are to be submitted to the current secretary by 6pm on the Monday prior to the advertised date of the forthcoming AGM.
- b. A nomination form will be made available to the members a minimum of 14 days prior to the next AGM. This club authorized form will only be accepted for nominations at the AGM.
- c. If no member has nominated for a vacant executive position, then nominations can be sought from members present at the AGM.
- d. If the quotas for general committee members are not reached from nominations, the committee can call for nomination from the members present at the AGM.

11. Other

- a. If any member of either the Executive or Committee is absent without apology from two consecutive meeting, he/she shall relinquish their position on the BSCC Executive or Committee. The position vacant on the Executive to be filled by a member of the Committee.
- b. No person, except members of the Committee, shall be entitled to be present at its meeting without the permission from or by invitation from the President of the BSCC.
- c. The BSCC Committee may at any time refer any controversy to a Special General Meeting of the BSCC or relevant Association.
- d. The BSCC Committee may implement policies to outline details standards and/or requirements of members i.e. Privacy Policy, Selection Policy. Trophy Policy.

12. Disciplinary Action

- a. The BSCC may take disciplinary action against a member in accordance with:
 - I. Division 2 - Clause 19 Constitution;
 - II. Member Protection By-Law Cricket Victoria - Part 3 - Breaches and;
 - III. If the member has not complied with Member Protection By-Law Cricket Victoria Attachment E- Code of Behaviour - General Code of Behaviour, Administrator Code of Behaviour, Coach Code of Behaviour, Junior Player Code of Behaviour, Senior Player Coder of Behaviour, Umpire Code of Behaviour, Parent/Guardian Code of Behaviour & Spectator Code of Behaviour.





- b. Any member of BSCC infringing the Constitution and/or the By-Laws, or guilty of any dishonorable act against the BSCC or members or acting in a way which may not be considered conducive to the interests of the BSCC, or has criminal investigation and/or criminal charges pending, shall be dealt with by resolution as the Executive Committee may think fit;
- I. The Executive Committee shall appoint a Disciplinary subcommittee in accordance with Division 2 Clause 20 (1) & (2) of the Constitution. They shall take action in accordance with Division 2 Clause 21 (1) & (2).
 - II. The Disciplinary subcommittee can request a Special Disciplinary Hearing no earlier than 2 Calendar days, and no later than 7 Calendar days based on the misconduct of a member further bringing the BSCC reputation into disrepute and/or causing financial loss:
 - i. The Disciplinary subcommittee can suspend the member from all BSCC activities including exclusion from participating in competition, holding any office, attending matches as a spectator, selection, training and social events at the hearing. A notice under Division 2 Clause 21 (2) to attend a disciplinary meeting must be issued within 48 hours of the Special Disciplinary Hearing by the Secretary of the BSCC.
 - ii. If no suspension is issued at the Special Disciplinary Hearing then the Disciplinary Subcommittee to advise the BSCC Secretary to issue a notice under Division 2 Clause 21 (2) to attend a disciplinary meeting.
- c. The imposing of penalties after any Disciplinary Committee meeting must be ratified by the whole BSCC committee. The role of the Disciplinary committee is to provide a recommendation based on their findings, except where a Special Disciplinary Hearing is convened due to exceptional circumstances. The whole BSCC committee must agree on the penalty and then vote, in which a two-thirds majority of the BSCC committee attending the meeting must agree on the penalty.
- I. The BSCC Secretary must issue a notice of the penalty not later than 48 hours after the Disciplinary Subcommittee meeting outlining the penalty.
- d. A member has the right to appeal any penalty under Division 2 Clause 23 (1), (2) & (3) of the Constitution.
- e. An appeal against disqualification, suspension, penalty or fines shall be made in writing to the Executive Committee who may grant a hearing if new evidence is at hand. All such appeals must be lodged seven days prior to the next BSCC Committee Meeting at which it will be considered and must be accompanied by a fee of \$500.00. All or part of this fee may be retained at the discretion of the BSCC. Before any appeal is considered, the BSCC will need to sight evidence of lodgment of an appeal fee of \$500.00 into the BSCC bank account. A two-thirds majority vote shall be necessary to grant the appeal.
- I. If an appeal is granted it will be heard by the Whole BSCC Committee;
 - II. If the appeal is declined, then the member can appeal to the relevant association; if required.
 - III. No appeals will be heard after 30 days of the issue of a penalty notice. Under clause 12 (c.) I.
- f. All playing penalties are to be served within the competition that the BSCC is affiliated.

All matters not contained herein will be dealt with at the discretion of the Executive.

