



**Constitution
of the
North Western Tasmanian
Cricket Umpires' and Scorers'
Association
Incorporated**

(as amended May 2019)

NORTH WESTERN TASMANIAN CRICKET
UMPIRES' & SCORERS ASSOCIATION INCORPORATED

NAME.

1. The name of the association shall be the North Western Tasmanian Cricket Umpires' & Scorers Association Incorporated.

OBJECTS.

2. The objects for which the Association is established shall be:
 - (a) To co-operate with and assist Cricket North West in the promotion of the game of cricket in North Western Tasmania by encouraging efficiency amongst umpires and scorers.
 - (b) To assist Cricket North West in enforcing and upholding the laws of cricket as adopted by Cricket North West, together with any new or amended law that may from time to time be adopted and any by-law or rule which may be made by Cricket North West.
 - (c) To assist Cricket North West in maintaining a uniform interpretation of such laws and rules as may from time to time be adopted or made by Cricket North West.
 - (d) To arrange for affiliation with this Association of other Cricket Umpires Association located in North Western Tasmania for the purpose of improving the standard of umpiring and scoring.
 - (e) To arrange for the holding of conferences with kindred Associations of North Western Tasmania for the purpose of discussing matters to the interpretation and administration of the laws of cricket.
 - (f) In addition to the basic objects of the Association, the objects and purposes of the Association shall be deemed to include:
 - 1) The buying, selling and supplying of, and dealing in, goods of all kinds.
 - 2) The taking of such steps from time to time as committee or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Association, whether by way of donations, subscriptions or otherwise.

- 3) The establishment and support, or the aiding in establishment and support, of any other Association formed for any of the basic objects of the Association.
 - (a) Any interested person, other than a qualified umpire or scorer may apply to become an affiliated member of the Association without voting rights. Persons shall not be elected as affiliates unless a recommendation to elect is made by the Hon. Sec. to a General Meeting.
- 4) The purchase, acquisition, and the undertaking, of all or any part of the property, assets, liabilities and the engagement of any Association with which the Association may at any time become amalgamated in accordance with the provisions of the Act and Rules of the Association.

MEMBERS.

3. Both umpires and scorers may be members of the Association. The number of members shall (subject to Article 17) be unlimited.

OFFICE BEARERS.

4. Office Bearers of the Association shall consist of a President, Vice-President, Hon. Secretary/Public Officer (referred to hereinafter in the rules as Hon. Sec.) and a Treasurer. All of whom shall be elected at the Annual General Meeting. Such Office Bearers must be members of the Association.
5. Nominations for Office Bearers shall be made orally at the Annual General Meeting and no nomination shall be accepted unless the member is present or in the case of an absentee, his written authority for nominations is in the hands of the Hon. Sec.
6. Any extraordinary vacancy as Office Bearers of the Association or as a member of any committee, shall be filled at the next meeting of the Association held thereafter.
7. Elections for any office in the Association shall be on the voices or by show of hands and each member shall have one vote. Provided that this shall not apply to any election if the members decide that the election shall be by an exhaustive ballot.

MEMBERSHIP.

8. Any person desirous of becoming a member of the Association shall have their name submitted to the Association through the office bearers and/or Umpires' Advisor/Educator.
9. Such application, shall in the first instance, be considered by the office bearers, and if they are satisfied that the applicant is a suitable person, it shall make the necessary arrangements for the applicant to be assessed by the Umpires' Advisor/Educator who shall provide training as deemed fit by him.
10. Each applicant shall submit himself for accreditation through the prescribed processes of Cricket Tasmania and Cricket Australia with the guidance of the NWTUSA Umpires' Advisor/Educator.
11. (a) If such applicant satisfies the accreditation procedures and the NWTUSA Umpires' Advisor/Educator that he is possessed of sufficient knowledge of the game and laws of cricket and that his general qualifications and capabilities render him fit to act as an umpire of Cricket North West, then such Advisor/Educator shall so report to the next meeting of the Association, and the applicant's name shall thereupon be submitted for membership.

(b) Tasmanian Cricket Umpires and Scorers Association. Then he shall undertake such training and accreditation, as shall be prescribed from time to time by Cricket Tasmania together with the Cricket North West Committee of Management.
12. The election of members shall be on the voices or by show of hands and no person shall be elected unless three-fourths of the members voting at such meeting shall vote for him.
13. (a) The Hon. Sec. shall inform every member of his election and shall forward him a copy of local rules for time being in force. The Hon. Sec. shall also inform every person whose application for membership has been rejected of the decision of the Association or Committee.

(b) The Hon. Sec. shall forward to the Administrator, Cricket North West, a list showing the names, addresses, telephone numbers and email address of newly-elected members.
14. Should any applicant for membership be dissatisfied with the decision of the Membership, he shall have the right of appeal to the Committee of Cricket North West, whose decision shall be final.
15. Any person desiring to appeal under the provision of Rule 14 shall lodge a notice in writing, stating his intentions to appeal, and the grounds of appeal, with the Hon. Sec. of the

Association and also the Administrator of Cricket North West twenty five days (25) of being notified of the finding or decision.

16. At the time of lodging such Notice of Appeal with the North Western Tasmanian Cricket Umpires and Scorers Association may decide after the determination of the appeal by Cricket North West.
17. If at any time the Office Bearers are is of the opinion that there are sufficient members, either umpires or scorers, to meet the requirements of Cricket North West, such Office Bearers may upon the consent of the Executive Committee of Cricket North West, close the list or lists of membership for such time as the Committee of Cricket North West shall determine, and all applications for membership made during the time such list is closed shall be placed on a waiting list, and when membership is open again each application shall be dealt with in order of date of application.
18. No member shall be held to have resigned his membership until, his resignation be received in writing by the Hon. Sec. and accepted by the Association.
 - (a) All qualified umpires shall commit themselves to gaining/maintaining accreditation.

SUBSCRIPTION.

19. The annual subscription to the Association shall be fixed at the Annual Meeting of the Association, and shall be deducted for umpire members by the Treasurer from the first match payment received for the season, or paid by the member or members by January First, whichever is the earliest, any member whose subscription is not paid shall cease to be a member of the Association and shall forfeit all rights and privileges in the Association provided. However, the Association may grant leave of absence to any member and suspend payment of his subscription for such period as it deems fit.

SPONSORSHIP.

20. The Office Bearers may negotiate and accept sponsorship deals with one or more sponsors, provided that:
 - (a) Article 77 (b) is complied with and
 - (b) Such sponsorship does not offend the dignity of the position of Cricket Umpire and/or Scorer.

APPOINTMENT OF UMPIRES.

21. The appointment of members of this Association as umpires of matches played under the auspices or control of Cricket North West shall be vested in Cricket North West.
22. No member shall directly or indirectly attempt to influence members or the Administrator of Cricket North West and/or the NWTCUSA regarding his appointment.
23. Should any member be unable to officiate in a match for which he has been appointed, he shall notify, the member responsible for Umpire's appointments in the first instance, otherwise one of the association's office bearers within twenty-four (24) hours of the receipt of notification of his appointment, preferably sooner.
24. Should any member fail to act as umpire in three (3) consecutive matches for which he has been appointed, and fail to furnish a satisfactory explanation to the Association, or should any member officiate as an umpire in games controlled by another Association, except the Cricket Tasmania and Cricket Australia, he shall cease to be a member of this Association. Provided that any members whose services are not required by Cricket North West shall not be subjected to any penalty under this rule.

UMPIRES REPORTS.

25. A member shall report in writing to the Administrator of Cricket North West particulars of any dispute or protest that may have arisen in a match in which he officiates within seventy-two (72) hours of such happening.
26. (a) Any member of the Association having a complaint to make in regard to another member or any grievance which he may desire to have considered shall forward particulars of same in writing to the Hon. Sec. of the Association.
(b) All complaints or grievances shall be dealt with by the Office Bearers and if necessary brought before the Association and/or the Committee of Cricket North West, whose decision shall be final.
(c) Except for providing the media with details on the score sheets no member shall make any statements whatsoever to the press or any other news media without the express permission of the President, of the North Western Tasmanian Cricket Umpires and Scorers Association or some other Executive member authorised by the President.

SUSPENSION AND EXPULSION.

27. (a) Any member misconducting himself during the progress of a match, or committing a breach of the Rules or otherwise acting to the detriment of the Association, shall be liable to expulsion or to be otherwise dealt with by the Association on a resolution being approved by not less than two-thirds of the members when present and voting.
- (b) Providing that any member accused of misconduct shall be given seven (7) days notice in writing of any charge that is to be brought against him and if such member fails to appear, that matter may be dealt with in his absence. Provided that any member dissatisfied with any decision of the Association under this rule shall have the right to appeal to the committee of Cricket North West, whose decision shall be final.

ANNUAL GENERAL MEETING.

28. The Annual General Meeting of the Association shall be held no later than the end of May, of which fourteen (14) days notice shall be given to each member. The regular business of the Annual General Meeting shall be:

- (a) Reading and confirmation of minutes of previous Annual General Meeting.
- (b) To receive the Annual Report and the Annual Financial Statement.
- (c) To elect as Office-Bearers
 - 1) A Patron
 - 2) President
 - 3) Vice-President
 - 4) Hon. Secretary, who shall be the Public Officer of the Association
 - 5) Treasurer
 - 6) Optionally, one Auditor, approved by the Commissioner of Corporate Affairs, but who shall not be a member of the Association.

The Office Bearers of the Association are to remain in office until the conclusion of the next Annual General Meeting.

- (d) To nominate an Umpire's Advisor/Educator and an Appointments Officer to Cricket North West.
- (e) To fix the subscription of the ensuing year.

SPECIAL MEETINGS.

29. Special Meetings of the Association may be convened

- (a) By the Office Bearers,
- (b) On a requisition signed by not less than six (6) members.
- (c) By the Hon. Sec.

Such meeting shall be called on such dates as will allow at least five (5) days notice being given. The business for which the Meeting is called shall be stated on the notice.

ORDINARY GENERAL MEETING.

30. (a) Ordinary General Meetings shall be held-at the discretion of the Office Bearers,
(b) All Ordinary General Meetings shall commence at an agreed time, usually 7:00pm.

31. The order of business at the General Meetings shall be:

- (a) Reading and confirmation of minutes of the previous Ordinary General Meeting, as well as the reading of the Financial Statement.
- (b) Any correspondence considered relevant to the Ordinary General Meeting.
- (c) Action on recommendations from the Office Bearers and ratification, or otherwise, of Office Bearers' decisions.
- (d) Motions to direct the actions and decisions of the Office Bearers, or any other matter.
- (e) Nominations and election of new members.
- (f) Any other business regularly brought before the meeting, except as provided for in Article 60, business of the Office Bearers shall take precedence of all other business.
- (g) Laws of cricket and rulings thereon. This shall be the major activity of Ordinary General Meetings and shall commence at the conclusion of the formal matters in sub-paragraphs (31. (a) to 31. (f)) above.

QUORUM.

32. A quorum at any Annual, Ordinary or Special Meeting shall consist of seven (7) members, of which at least two (2) members present shall be Office Bearers.

33. a) **SMOKING:** Smoking will not be permitted at any Annual, Ordinary or Special

meeting of the Association, nor any Committee Meeting, nor at any lecture, seminar or similar gathering of Umpires and/or potential umpires conducted by the Association, whilst all or any such activities are being held or conducted indoors.

b) ALCOHOL: No alcoholic beverage shall be permitted to be consumed whilst any meeting, seminar, lecture or any other training activity is in progress.

c) MOBILE PHONES: Mobile phones shall be switched off during all meetings, lectures, seminars or any other training activities.

PROCEDURE AT MEETINGS.

34. At all meetings of the Association the President shall be Chairman, or in his absence the Vice-President, and, if he be absent, then some member to be elected from those present.

35. Subject to the right of the Association to exclude all but members, any person may attend the meeting but none but members shall be allowed to speak without the leave of the meeting.

36. In dealing with correspondence, every letter, after having been read, shall be taken as formally "received", unless the Association otherwise decides, and every letter shall be dealt with immediately after the contents have been made known to the meeting.

37. Any member wishing to bring forward any motion other than a formal motion shall forward particulars of the same to the Hon. Sec. seven (7) days prior to the date of the meeting at which he wishes such matter considered. The Hon. Sec. shall preserve such particulars until after the motion has been decided.

38. The President shall preserve order, and may call to order any members whom he may deem to be out of order, and when two (2) or more members arise to speak at the same time he shall decide which member shall be heard first.

39. The Chairman shall have the authority to decide any point of order, and in case of doubt, the usual mode of parliamentary procedure shall be adopted.

40. Any member may call to the attention of the Chairman to any member being out of order, or to any point of order.

41. Every point of order shall be taken in to consideration immediately upon it arising.

42. A member may, without notice, move to dissent from the ruling of the Chairman on a point of order, and thereupon the business before the meeting shall be suspended pending a decision on the question and the Chairman shall forthwith leave the Chair and some other member shall be appointed to act as Chairman in accordance with Rule 34. Discussion on the

motion of dissent shall be confined to the mover and the Chairman in reply, and after the matter has been decided by the meeting the Chairman shall resume the Chair and the suspended business shall be proceeded with.

43. At all meetings of the Association the mode of voting shall be on the voices or by show of hands, except where other specially provided for, or by actual division.
44. The Chairman shall put all questions in the affirmative, and turn in the negative, and may do so as often as may be necessary to enable him to determine the sense of the meeting thereon, and thereupon he shall declare his decision, which shall be final unless a division or ballot be called for.
45. The Chairman shall have the right to vote on any motion and where the voting is equal, he shall have, in addition to his ordinary vote, a casting vote, which he must exercise.
46. No motion shall be discussed until it be seconded, and when seconded not withdrawn without the consent of the seconder.
47. No notice of motion which shall been entered on the business paper shall be proceeded with in the absence of the member by whom such notice has been given, unless some other member produces a written authority for that purpose from such first-named member, then and in such case such other member shall be allowed to move the motion.
48. When a motion has been moved and seconded any member shall be at liberty to move an amendment thereon, which shall not be discussed until it be seconded.
49. No second amendment shall be taken into consideration until the previous amendment shall have been disposed of.
50. If an amendment be carried, the question as thereby amended shall become the question before the meeting, whereupon it may be moved.
51. If an amendment either upon the original motion or upon any amended motion, shall be negatived, then a further amendment (if not the same effect as that already negatived) may be moved to the motion to which such first named amendment was moved, and so on, provided that no more than one question, and one proposed amendment thereof shall be before the meeting at one time.
52. No member shall speak more than once on the same question unless in explanation, and then only with the permission of the Chairman, provided always that any member having previously spoken on the original question shall have the right of final reply.
53. No member shall speak upon any motion or amendment for a longer period than five (5) minutes without the consent of the meeting.

54. No member shall make any offensive personal reflection upon or impute any improper motives to any member or officer, and any member so offending shall immediately upon being thereto required by the Chairman, withdraw such offensive expressions and retract such imputation of motives, and make an apology satisfactory to the meeting.
Any member refusing to apologise and to withdraw such offensive expressions or imputations shall not be allowed to further address the Chair at that or any other meeting of the Association, until he shall have complied with such questions, nor shall his vote be recorded upon any question.
55. No motion for adjournment shall be proposed or seconded by any member who has spoken of the matter before the meeting, or who has moved or seconded or spoken to any amendment thereto whilst any such motion or amendment is under discussion.
56. No motion to rescind any decision of the Association shall be entertained except at a meeting of the Association, which has been specially called for that purpose.
57. A notice of motion which has to be negatived or which has the same effect as a previously negatived motion shall not again be brought before the Association until the expiration of three (3) months from the date such motion was negatived.
58. Should any meeting lapse or be adjourned for any cause whatsoever any business which was on the business paper at such meeting so lapsed or adjourned shall take precedence over any business at the next meeting.
59. Motions other than formal, of which notice has not been given, can only be discussed or voted on with the sanction of three-fourths of the members present.
60. If any matter shall be deemed urgent by three-fourths of the members present at any meeting of the Association, it shall be within the province of the meeting to suspend all rules for the purpose of determining such urgent matter forthwith.

COMMITTEES.

61. The Association may appoint a Special Committee to consider and report on any question that may be referred to it. The recommendation of such Committee shall, when adopted, be considered resolutions of the Association.
The number of members to form such Special Committee and a quorum thereof shall be determined by the Association on the appointment of such Committee.

62. Any member of the Committee absenting himself without leave from such Committee for three (3) consecutive meetings shall forfeit his seat on such Committee, and the Association shall thereupon elect another member in his stead.

DUTIES OF OFFICE BEARERS.

63. (1) The duties of the Hon. Sec. shall be:

- (a) To control the clerical work of the Association and to carry out all directions given by the President, and the Committee or by direction of the Annual or Ordinary Meetings.
- (b) To keep a record of the name and addresses of all Office Bearers and Members.
- (c) To keep such further books and registers as the Association may from time to time determine.
- (d) Keep a register of all decisions arrived at by the Association with respect to the interpretation of any Rule of the Association of Cricket North West relative to the interpretation of any Law of Cricket.

(2) The duties of the Treasurer shall be:

- (a) To receive all monies for and on behalf of the Association and immediately thereupon to pay the same into such bank or banks as the Association may from time to time determine to the credit of an account in the name of "North Western Tasmanian Cricket Umpires Association".
- (b) To keep true accounts of all sums of money received and payments made by the Association and submit a statement of the financial position to the Association at its Ordinary and Annual Meetings.
- (c) To pay all accounts or advances after the same have been passed by the Association or the Office Bearers.

64. (a) The Seal of the Association shall be in form of a rubber stamp, inscribed with the name of the Association encircling the word "Seal".

(b) The Seal of the Association shall not be affixed to any instrument except by the authority of the Office Bearers, and the affixing thereof shall be attested by the signatures either of two (2) members of the Office Bearers or one (1) member of the Office Bearers and the Public Officer of the Association or such as the Office Bearers may appoint for that

purpose, and the attestation is sufficient for all purpose that the Seal was affixed by authority of the Office Bearers.

(c) The Seal shall remain in the custody of the Public Officer.

ACCOUNTS.

65. All accounts shall be submitted to and authorised by the Association before payment.

(a) **MATCH PAYMENTS:** The Executive of the Association, usually the Treasurer, may make payments by cheque or online bank transfer to members for duties carried out under an approved schedule of rates, provided that those funds have been received for disbursement by the Association.

(b) **TAXATION PAYMENTS:** The Executive of the Association shall make payments for taxation to both State and Federal Governments on and when they fall due. Such payments will be noted in the financial statement for the next meeting for approval.

66. All cheques drawn upon account shall be signed by at least 2 of the following Office Bearers: President, Treasurer or Secretary.

67. The financial year of the Association shall begin on the 1st May and end on the 30th of April in each and every year.

68. The accounts of the Association shall be audited prior to the Annual General Meeting by the Auditor, only if necessary according to taxation rules. The report of such audit shall be appended to the Treasurer's statement and submitted to the meeting,

(a) The Treasurer shall lodge an Annual Return with the Commissioner of Corporate Affairs within one (1) month of the Annual General Meeting each and every year, only if required.

If required, such return shall contain:

- 1) A report on the Accounts of the Association stating whether the Association has, in the opinion of the Auditor of the Association kept proper accounting records and other books during the period covered by those accounts.
- 2) Such statements as in the opinion of the Auditor are adequate to explain the Association financial transactions for that financial year and its financial position at the end of that financial year.

- 3) A report by the Auditor on the statements referred to in Article 68. (a)(2) above.
- 4) A list signed by the Auditor, of the names and residential addresses of the Office Bearers for that financial year.

AFFILIATED ASSOCIATIONS.

69. Any association constituted Cricket Umpires Association in North Western Tasmania shall be eligible for affiliation with the Association, upon payment of the subscription hereafter mentioned.
70. The annual subscription for affiliation shall be set by the association Office Bearers, in consultation with the membership, at either a General Meeting or at the AGM.
71. Such subscriptions shall be paid in a timely manner, within at least one (1) month of application. Any affiliated Association failing to pay the subscription by the scheduled date will not be entitled to obtain any further benefits from the Association until such subscription is paid.
72. Each application for affiliation must be made in writing to the Hon. Sec. and be accompanied by the annual subscription.
73. Application for affiliation shall be submitted to the Office Bearers, which shall have the power to reject any application and to cancel, the affiliation of any Association as it may deem fit. Provided that any Cricket Umpires Association may appeal from any such decision of the Committee of Cricket North West whose decision shall be final.
74. After such monthly meeting of the North Western Tasmanian Cricket Umpires and Scorers Association of any rulings that have been given upon Laws of Cricket and also any alterations and additions to the Laws of Cricket as notified by the North Western Tasmanian Cricket Umpires and Scorers Association.
75. Any person or affiliated Association may make application to the Office Bearers to arrange for the visit of the Umpires' Advisor/Educator to their district, for the purpose of lectures or laws sessions.

AFFILIATION WITH TASMANIAN CRICKET UMPIRES AND SCORERS ASSOCIATION.

76. In order that members may officiate in Cricket Tasmania rosters, and other matches at the request of the State Match Officials Manager, the Association shall re-affiliate with the

Tasmanian Cricket Umpires and Scorers Association annually, by 1st October in each year, and pay the fee prescribed by that Association for that year.

UNIFORM.

77. (a) The official uniform for umpires shall be that prescribed by the agreement of the Office Bearers and membership in accordance with meeting the match requirements of Cricket North West.

(b) The Office Bearers have the power to direct members to wear a commercial logo on coats or shirts where the wearing of such logo is required under sponsorship scheme between a sponsor and his Association, provided that:

(1) Only one such logo shall be worn at any time.

(2) It shall only be worn when officiating in matches under control of Cricket North West, or at the discretion of the Office Bearers.

(3) No individual Umpire may wear any other logo or other unauthorised item on any article of clothing whilst officiating in a match.

CONSTITUTIONAL AMENDMENTS.

78. No existing rule shall be repealed or altered, nor shall any new rule adopted without the consent of the majority of the members present at a meeting of the Association and unless the Hon. Sec. shall have been given fourteen (14) days notice by circular to each member of the Association of such proposal repeal, alterations or adoption.

79. The Office Bearers shall have the power to make, alter or repeal By-Laws for carrying out these rules provided such By-Laws are not inconsistent with any existing rule or resolution of the Association.

80. In so far as these rules refer to only the masculine gender they shall, in all respects, include the feminine gender.

DISSOLUTION.

81. a) The Association shall not be dissolved without the consent of at least three- fourths of the members present and voting at a Special Meeting convened for the purpose,

82. b) In the event of the Association being wound up:

- (1) Every member of the Association.
- (2) Every person who, within the period of twelve (12) months immediately preceding the commencement of the winding up, was a member of the Association.

is liable to contribute to the assets of the Association and for the cost charges and expenses of the winding up and for the adjustment of the rights of the contributories among themselves such sum, not exceeding one (1) dollar, as may be required, but a former member is not liable so to contribute in respect of any debt or liability of the Association contracted after he ceased to be a member.

PRESIDENT

Leigh Berwick

HON. SECRETARY

Mark Smith

TREASURER

Peter King

CONSTITUTIONAL AMENDMENT

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