



# WACUA

Western Australian Cricket Umpires' Association

CONSTITUTION

# Western Australian Cricket Umpires' Association

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# Western Australian Cricket Umpires' Association

## 1 Name of the Association

The Association shall be called **THE WESTERN AUSTRALIAN CRICKET UMPIRES ASSOCIATION (INC)**.

The Association shall be incorporated under the provisions of the Associations Incorporation Act 1987 or other legislation substituted therefore.

## 2 Definitions

In these rules unless the contrary intention appears:

- 2.1 "the Association", shall mean the Association referred to in Rule 1.
- 2.2 "WACUA", shall mean the Association referred to in Rule 1.
- 2.3 "the Committee", shall mean the Management Committee of the Association referred to in Rule 9.
- 2.4 'WACA', shall mean the Western Australian Cricket Association Inc.
- 2.5 "District Cricket", shall mean all fixtures organised and controlled by Western Australian District Cricket Council Inc. (WADCCI) with the exception of Junior and Senior Country Championship fixtures

## 3 Objects of the Association

### 3.1 Objects

- 3.1.1 To encourage the highest possible standard of cricket umpiring in all matches controlled by WADCCI.
- 3.1.2 To promote good fellowship among the members of the WACUA and, by discussion and in association with the WACA, become unanimous in the interpretation and application of the Laws of Cricket and WADCCI playing conditions.
- 3.1.3 To foster, encourage and promote the game of cricket in all respects.

### 3.2 Income and Property

- 3.2.1 The income and property of the Association shall be applied solely towards the promotion of the Objects of the Association. No portion of the income or property shall be paid, transferred or distributed directly to the members of the Association, provided that nothing shall prevent the payment, in good faith, of remuneration to any person in return for services rendered to the Association

## 4 Powers of the Association

### 4.1 Powers

- 4.1.1 The Association has the power to do all such things as are necessary, incidental or conducive to the attainment of the Objects of the Association.

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## 5 Qualification for Membership of the Association

### 5.1 Qualification

- 5.1.1 Membership is open to any person who has a genuine interest in the game of cricket and who will uphold the Objects of the Association
- 5.1.2 A person who wishes to become a member shall apply in writing in such form as the Committee from time to time directs
- 5.1.3 The Committee shall consider each application made under Rule 5.1.2 or Rule 6.1.2.1 at a Committee meeting and shall accept or reject that application subject to the provisions of Rule 9.8

## 6 Membership

The Association shall consist of the Office Bearers and all the members.

### 6.1 Categories of Membership

There shall be three (3) categories of membership:

#### 6.1.1 Member

- 6.1.1.1 Currently officiates or has officiated in WADCCI/ WACA matches as defined in Rule 2.4 and Rule 2.5, or who
- 6.1.1.2 Is able to show the Committee that they have an interest in or show support to umpiring and the objects of the Association as stipulated in Rule 3.

#### 6.1.2 Honorary Member

- 6.1.2.1 If the appointee is not already a Full or Life Member, the WACA Umpiring Coordinator or similar titled role shall be an Honorary Member.

#### 6.1.3 Life Member

- 6.1.3.1 Life Membership shall be the highest honour the Association can bestow, and shall be granted to a person for life, in accordance with Rule 19. A Life Member shall have all the rights and privileges of a Full Member and shall be exempt from subscriptions and levies as defined in Rule 7.

### 6.2 Membership Term

- 6.2.1 Membership shall be annual. A full year shall mean October 1st in any year until September 30th the following year.

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## 7 Subscription and Levies

### 7.1 Annual Subscription

- 7.1.1 The annual subscription for Members shall be determined at the Annual General Meeting.
- 7.1.2 Persons who wish to become a Member shall pay to the Treasurer the amount of the subscription determined under Rule 7.1.1.
  - 7.1.2.1 Members are invited to pay their subscription before September 30<sup>th</sup> each year to match the membership term as per Rule 6.2.1.
  - 7.1.2.2 In the case that a previous or potential member fails to make payment before this date, the Committee as per Rule 5 may accept late renewals or new subscriptions until the date of next Annual General Meeting. In order to avoid confusion, the current membership term as per Rule 6.2.1 will be regarded as the year in which the member is financial when approved by the Committee.
- 7.1.3 A member is financial for the purposes of these rules once his subscription has been paid.

### 7.2 Imposition of Membership Levy

- 7.2.1 If the contingencies of the finances so require, the Association may, at any Season General Meeting, impose a levy upon its members

## 8 Office Bearers

### 8.1 Elections

The Association shall elect by ballot at the Annual General meeting:

#### 8.1.1 The Management Committee

The Management Committee comprising of the following roles:

- President
- Vice President
- Secretary
- Treasurer
- Membership Registrar
- Five (5) Committee Persons

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## 8.1.2 Other notables roles

The Association shall announce the following appointments at the Annual General Meeting:

### 8.1.2.1 Honorary Auditor

8.1.2.1.1 The Honorary Auditor shall not be a member of the Committee and need not be a member of the Association.

### 8.1.2.2 Patrons/ Vice Patrons

8.1.2.2.1 One or more Patrons may be appointed plus also a number of vice patrons to be determined by the Committee.

### 8.1.2.3 Umpires Advocate

8.1.2.3.1 The Umpires Advocate can be requested to represent and/or advise any member who has lodged a complaint against a player(s), official(s) of a club or clubs in any hearing conducted by WACA committees.

### 8.1.2.4 Returning Officer

8.1.2.4.1 The Returning Officer will take responsibility for the conduct of election for the office bearers. The Returning Officer will accept all nominations and in the event that more nominations are received than positions available, shall arrange for an election to be conducted. The Returning Officer shall not be a candidate, or proposer or seconder of a candidate for the position.

## 8.2 Eligibility for Office

8.2.1 A person nominated for election to a position on the Committee must have completed one (1) year Membership of the Association as defined in Rules 6.2 and 6.1, prior to the nomination

8.2.2 Nomination for election to a position on the Committee shall be in writing on the Association nomination form, proposed by a member, seconded by another member and received by the Returning Officer in accordance with Rule 8.5 no later than fourteen (14) days prior to the Annual General meeting

## 8.3 Eligibility to Vote

8.3.1 Only members as per rule 6.1 present at meetings shall be eligible to vote. No proxy voting will be accepted at any meeting type as per Rule 14.

## 8.4 Voting

8.4.1 At the Annual General Meeting the President shall declare all positions vacant.

8.4.2 All the office bearers as defined in Rule 8.1.1 shall be elected by ballot.

### 8.4.3 Voting Procedure

8.4.3.1 When one (1) is received for one (1) position, the Returning Officer shall declare the candidate elected unopposed.

8.4.3.2 When two (2) nominations are received for one (1) position, the candidate receiving the higher number of votes is elected.

8.4.3.3 When three (3) or more nominations are received for one (1) position the candidate receiving the most votes will be elected, providing that candidate has a majority of votes cast. If no candidate has a majority, the name of the candidate with the least number of votes shall be withdrawn and a fresh ballot taken. This shall be done until one (1) candidate is elected.

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8.4.4 Where more than one (1) position is available for election, if the number of nominations is greater than the number of positions, each member shall be entitled to a number of different votes equal to the number of candidates to be elected. The voting procedure outlined in Rule 8.4.3 shall apply until the number of candidates remaining is equal to the number of positions to be filled.

8.4.5 Should voting for any position result in a tie, further ballots shall be taken until the number of positions are filled.

## 8.5 Nomination Notices

8.5.1 Nominations as defined in Rules 8.2.2 and 19.1.2 shall be submitted to the Returning Officer. Emails will be accepted, provided that all signatures on the form are legible.

8.5.2 It shall be the sole responsibility of the nominee to ensure that the Returning Officer has received the nomination within the times defined in Rules 8.3.2 and 19.1.

8.5.3 The Returning Officer shall immediately acknowledge in writing by email or letter the receipt of each nomination.

## 9 Management Committee

9.1 The Committee shall consist of those members elected to the positions listed in Rule 8.1.1.

9.2 A quorum shall consist of at least two thirds (2/3) of the positions that have been filled.

9.3 Should both the President and the Vice President be unable to attend a Committee Meeting, then a Committee Member, elected by the Committee Members present, shall act as Chairman.

9.4 A Committee Meeting shall be held each month. Special Committee Meetings may be called at any time by the President or shall be called by the President on receipt of a written request by/from a majority of Committee Members, outlining the business to be discussed at such meeting.

9.5 Should any vacancy occur after the Annual General Meeting the Committee shall recommend the appointment of another member until the next Annual General Meeting. Such member shall meet the criteria as defined in Rule 8.2.1.

9.6 A member of the Committee who is absent from two (2) consecutive monthly Committee meetings, without having obtained leave of absence or without having furnished a satisfactory explanation may be replaced in accordance with Rule 9.5.

9.7 Should any question arise which is not provided for in these Rules, the opinion of the Committee shall be sought. The Committee shall be empowered to seek outside advice on any question so raised.

9.8 All decisions and recommendations of the Committee shall be subject to the endorsement of the membership at the next General meeting.

9.9 The Committee shall be empowered to form Sub-Committees and shall determine the terms of reference.

9.10 Any question arising at a Committee shall be decided by a majority of votes cast. In the event of a tie, the President of the WACUA may have the deciding vote.

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## 10 Duties of Officers

### 10.1 President

- 10.1.1 The President shall act as Chairman at all meetings and shall, on all ceremonial occasions represent the Association.
- 10.1.2 In the absence of the President, the Vice President shall act for the President. In the absence of the Vice President, the President shall appoint a Committee Member to act for the President.

### 10.2 Secretary

- 10.2.1 The Secretary shall keep custody of the minutes, records and Constitution of the WACUA, and shall record all correspondence on behalf of, or as directed at any meeting of the Association.
- 10.2.2 The Secretary shall keep an accurate record of decisions made at General and Committee meetings.

### 10.3 Treasurer

- 10.3.1 The Treasurer shall keep an accurate account of all financial affairs of the Association, issue all receipts for monies received and pay all accounts as directed by the Committee. A financial report shall be presented at each monthly Committee Meeting, or as requested by the President.

### 10.4 Membership Registrar

- 10.4.1 The Membership Registrar shall keep and maintain a register of members.

### 10.5 Notifications to Members

- 10.5.1 The President and Secretary acting together shall be the Officers who issue official media releases. The President may choose however to delegate notifications on forums such as social media, newsletters and other material to any member on the Management Committee.



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## 11 Vacancy of Office

### 11.1 Office Bearer changes

11.1.1 The office of any Office Bearer, as defined in Rules 8.1 and 8.2, shall become vacant upon:

11.1.1.1 The death of the incumbent.

11.1.1.2 The resignation of the incumbent.

11.1.1.3 The passing of a motion, in accordance with Rule 12.2, that the incumbent has lost the confidence of the members of the Association.

### 11.2 Notice of Motion to vacate position

11.2.1 Any motion that the office of any Office Bearer to become vacant due to the loss of confidence as outlined in Rule 12.1.1.3 shall:

11.2.1.1 Be tabled at a General Meeting of the Association as a Notice of Motion, and be considered at the following General Meeting.

11.2.1.2 Be proposed by a member, and seconded by another member, both of whom shall be present and both of whom shall speak to the motion when it is debated.

11.2.1.3 Include the name of the Office Bearer and the reason(s) for which the Office Bearer has lost the confidence of the members.

11.2.1.4 Be debated, notwithstanding Rule 16, in strict observance of the rules of natural justice and procedural fairness.

11.2.1.5 Require a majority of three fourths (3/4) of votes cast to be carried.

## 12 Finance

### 12.1 Financial Year

12.1.1 The financial year of the Association shall commence on the first day of June and cease on the last day of May the following year in order to align with the Annual General Meeting as per Rule 14.2.2.

### 12.2 Signatories

12.2.1 The signatories to the bank accounts of the Association shall be the President, Secretary and Treasurer. All cheques shall be signed by any two of these officers

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## 13 General Meetings

### 13.1 Quorum

- 13.1.1 At all properly convened meetings, fifteen (15) members or 25% of the member base present whichever is the lower number shall form a quorum.

### 13.2 Meeting Topology and Types

#### 13.2.1 Season General Meetings

- 13.2.1.1 Season General Meetings shall be held, between September and March inclusive, unless altered by resolution at the previous meeting. This does not prevent the Association organising and holding social functions at any time.
- 13.2.1.2 The Committee may decide to run Season General Meetings either bi-monthly or monthly throughout the time period as stipulated in Rule 14.2.1.1. The Committee may also change to either time format throughout this period however they must comply with Rule 14.2.3.2.

#### 13.2.2 Annual General Meeting

- 13.2.2.1 The Annual General Meeting shall be held in July of each year.
- 13.2.2.2 If it becomes impractical to hold a meeting on the arranged date, the President and Secretary acting together may change the date of the meeting, but only if at least seven (7) days' notice of the change is given to all members.

#### 13.2.3 Special Meetings

- 13.2.3.1 A Special General Meeting of the WACUA may be called at any time by the President and Secretary acting together, or shall be called by the President on receiving a written application, stating the business to be discussed, and signed by at least fifteen (15) members or 25% of the member base whichever is the lower number at that particular point in time.
- 13.2.3.2 All members shall be given at least seven (7) days of any Special General Meeting, and the nature of the business to be discussed.
- 13.3 The non-receipt of notice of any meeting type by any member entitled to such notice shall not invalidate any proceedings at such a meeting.

### 13.4 Order of Business

#### 13.4.1 Annual General Meeting

1. Opening of Meeting and Apologies
2. Minutes of Previous Annual General Meeting
3. Correspondence
4. President's Report
5. Secretary's Report
6. Financial Report and Auditor's Report
7. Acceptance of Annual Report
8. Election of Office Bearers
9. Appointment of Auditor
10. Appointment of Patron(s)
11. Appointment of Umpire's Advocate
12. Amendment to Rules
13. Life Membership Nominations
14. Notices of Motion
15. Closure of Meeting

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## 13.4.2 General Meetings

1. Opening of Meeting and Apologies
2. Minutes of Previous Meeting
3. Committee Report
4. Financial Report
5. Training Report
6. Special Business
7. General Business
8. Closure of Meeting

## 14 Auditor

- 14.1** The Honorary Auditor shall present the audited accounts of the Association for the twelve (12) month period from the first day of June to the last day of May before the Annual General Meeting.

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## 15 Standing Order

### 15.1 General Orders

- 15.1.1 The order of business shall follow the agenda prepared by the President and Secretary. Members shall introduce new business after the completion of the business set out in the agenda.
- 15.1.2 Should any matter of urgency arise, a member may move suspension of standing orders to allow the matter to be discussed.
- 15.1.3 When the Chairman rises during a debate, any member, whether speaking or offering to speak shall sit down so that the Chairman may be heard without interruption.
- 15.1.4 If two (2) or more members rise, the Chairman shall call on the first person observed to speak. No speaker shall be interrupted, except a point of order. Every speaker must keep to the question before the meeting and shall not use discourteous language or reflect adversely on any member.

### 15.2 Notices of Motion

- 15.2.1 No motion entered on the notice paper shall be proceeded with unless the member giving such notice, or another member acting as their proxy, is present when the business is called to order. The member acting as a proxy cannot however vote on behalf of the other member as per Rule 8.3.
- 15.2.2 All motions and amendments, except the procedural motions must be moved and seconded. If no seconder is found, the motion or amendment shall lapse.
- 15.2.3 A motion having been proposed may be amended by leaving out, substituting or adding words. Such amendments shall be decided by a majority of votes cast.
- 15.2.4 Amendments shall not negate the original motion.
- 15.2.5 If a motion is capable of amendment in different ways, the Chairman shall ask for all amendments to be declared. The Chairman will then decide on the order in which they shall be moved. No amendment can be accepted for the first part of the motion after the second or subsequent parts have been amended.
- 15.2.6 When an amendment is moved to an original motion, no further amendment shall be heard until the first amendment is disposed of. If the first amendment is carried, the motion as amended becomes the substantive motion and is open to further amendment until there is no further debate. When the substantive motion is put to the meeting and carried, it becomes the resolution.
- 15.2.7 An amendment may not be moved or seconded by any member who has already spoken to the original motion or to a previous amendment.
- 15.2.8 No more than four (4) members shall speak to any motion or amendment, two (2) in the affirmative and two (2) in the negative. The motion shall then be put.
- 15.2.9 No member shall speak to any motion or amendment after the same has been put and voted upon.
- 15.2.10 No member shall speak to any motion or amendment after the same has been put and voted upon.
- 15.2.11 The mover of the original motion shall have the right of reply, but shall not introduce any new matter.

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- 15.2.12 Any motion having been put shall be resolved by a show of hands or, at the request of any member, by ballot. Any motion not receiving a majority is defeated. Motions other than Notices of Motion shall be decided by a majority of votes cast. Notices of Motion shall be decided in accordance with Rule 17.
- 15.2.13 In the event of two Notices of Motion relating to the same subject being defeated in the same year, as defined in Rule 6.2, then no further motions on that subject will be accepted in the same year.

## 16 Amendment to Rules

### 16.1 Altering of Rules

- 16.1.1 All notices to amend the Rules shall be submitted, in writing, to the Secretary no later than thirty (30) days before the Annual General Meeting.
- 16.1.2 Rule 16.2 will be adhered to for the discussion and consent of three-fourths (3/4) majority of votes cast will be required.
- 16.1.3 All revisions shall be lodged in accordance with the Associations Incorporation Act 1987 or other legislation substituted therefore.

### 16.2 Permission to alter Rules

- 16.2.1 No new Rules shall be made, nor any of the Rules altered, amended or rescinded, unless with the consent of a three-fourths (3/4) majority of votes cast at a Bi-Monthly or Special General Meeting. All revisions shall be lodged in accordance with Associations Incorporations Act 1987.

## 17 Code of Conduct

### 17.1 Behaviour

- 17.1.1 Any member who brings the Association or the game of cricket into disrepute shall, upon receipt of a written complaint, be required to appear before the Committee. The Committee shall determine what, if any, penalty shall be recommended to any meeting of the Association.

### 17.2 Approval of Penalty

- 17.2.1 In all cases, any recommendation must be approved by a three-fourths (3/4) majority of votes cast in a ballot by the Committee.

### 17.3 Decision

- 17.3.1 The decision of the meeting shall be final, provided that the member has the right of appeal as per Rule 17.4.

### 17.4 Appeals

- 17.4.1 Any such appeal shall be in writing and submitted to the Secretary no later than fourteen (14) days after ratification by members
- 17.4.2 The appeal shall be heard by an Appeals Board consisting of three (3) persons none of whom shall be party to the original decision appointed by the Committee.
- 17.4.3 The Appeals Board's decision shall be conveyed to the members at the next Season General Meeting or Annual General Meeting, whichever occurs first.

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## 18 Life Members

### 18.1 Nomination of Member

- 18.1.1 Prior to the Annual General meeting the Committee shall consider nominations for Life Membership in respect of outstanding service to the Association.
- 18.1.2 Each nomination shall be submitted in confidence. Nominations shall be in writing, proposed by a member, seconded by another member and received by the Secretary or President, as defined in Rule 8.5, no later than thirty (30) days prior to the day of the Annual General Meeting.

### 18.2 Recommendation by Committee

- 18.2.1 The Committee's recommendation shall be submitted to the Annual General Meeting.
- 18.2.2 All recommendations must be approved by a three-fourths (3/4) majority of votes cast.

### 18.3 Presentation of Life Member

- 18.3.1 The presentation shall be made at a later meeting of the Association and at the traditional Life Members Breakfast if held that year.

## 19 Affiliation

### 19.1 Affiliation with other entities

- 19.1.1 The Association may, upon application, recognise as an Affiliate Association any other cricket association.

### 19.2 Approval of affiliation

- 19.2.1 Such Association shall be approved by the Committee.

### 19.3 Cancelling affiliation with another entity

- 19.3.1 The Committee, representing the WACUA may cancel the affiliation of any Affiliated Association if either action or conduct of the Affiliated Association justifies such cancellation.

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## 20 Complaints and Disputes

### 20.1 Process

- 20.1.1 Members who feel aggrieved regarding any matter in connection with the Association's administration may submit the grievance in writing to the Secretary who shall refer it to the Committee. The Committee shall convey its decision to the next Monthly General Meeting for ratification

## 21 Breach of Rules

### 21.1 Breaching of the Constitution rules

- 21.1.1 Any member who contravenes these Rules shall be deemed to have committed an offence and shall be called upon by the committee to show why a penalty should not be imposed as per Rule 17.

## 22 Common Seal

- 22.1 The Common Seal of the Association shall be in the custody of the President and shall be affixed to any document only pursuant to a resolution of the Committee. The affixing of the seal shall be witnessed by the President or Vice President and the Secretary.

## 23 Dissolution of the Association

### 23.1 Majority support

- 23.1.1 The Association shall be deemed to have been dissolved when a member's resolution in favour of dissolution is carried by a three-fourths (3/4) majority of votes cast at a specially convened meeting for the purpose of considering such resolution.

### 23.2 Liquidator appointment

- 23.2.1 Upon dissolution a liquidator shall be appointed.

### 23.3 Release of WACUA Finances

- 23.3.1 All monies and goods shall be realised and after payment of all liabilities, the surplus, if any, shall be donated to the Make-A-Wish foundation, as it exists at that time.