



The Canterbury & Western Suburbs Cricket Association By-Laws

June 2026

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BY-LAWS

of

THE CANTERBURY & WESTERN SUBURBS CRICKET ASSOCIATION INCORPORATED

1. DEFINITIONS AND INTERPRETATION

Defined terms not otherwise defined in these By-Laws have been defined in, and have the meaning given to them in the [NAME] Constitution.

1.1 Definitions

In this Constitution unless the contrary intention appears:

Affiliate has the same meaning as Affiliate Member in the Constitution.

Association means The Canterbury & Western Suburbs Cricket Association Incorporated.

Executive means the body consisting of Committee members

By-Laws means these By-Laws.

Captain means the person nominated at the commencement of a cricket match as the Captain of the Team.

Code of Conduct means the Code of Conduct contained in these By-Laws.

Constitution means the Constitution of the Association.

Cricket Event means any Match, tournament, tour, contest, event, activity (including training), whether on a one-off basis or as part of a series, league or competition sanctioned or organised by the Association.

Cricket NSW or NSWCA means the New South Wales Cricket Association, being the relevant cricket State Sporting Organisation responsible for the regulation of cricket in the state of New South Wales.

Cricket Participant includes:

- (a) Players;
- (b) individuals who are registered with or entitled to participate in an Affiliate or Club or a Cricket Event;
- (c) coaches appointed to train a Player or Team of an Affiliate or the Association or for a Cricket Event;
- (d) administrators who have a role in the administration or operation of an Affiliate or the Association, including owners, executives, committee members or other persons;
- (e) officials including referees, umpires, technical officials, or other officials appointed by an Affiliate or Association or any league, competition, series, club or Team sanctioned by Cricket NSW or the [Association];
- (f) Player Support Personnel who are appointed in a professional or voluntary capacity by an Affiliate or the Association;

- (g) individuals who are registered as members with an Affiliate or Association or any league, competition, series, club or Team sanctioned by Cricket NSW or the [Association];
- (h) employees;
- (i) contractors;
- (j) volunteers; and
- (k) any other individual who has agreed to be bound by the Integrity Policies;

Integrity Policies means the policies included in the Cricket NSW Integrity Framework as contained in these By-Laws.

Match means a cricket match between two teams sanctioned or organised by Cricket NSW, an Affiliate and/or the Association.

Member means a member for the time being of the Association under its Constitution.

NSW means New South Wales.

Objects means the objects of the Association in **clause** Error! Reference source not found..

Player means a participant in a Cricket Event (including in addition to those that are playing in a Team) organised, sanctioned or otherwise under the auspices of an Affiliate or Association and includes representative competitions, tours and carnivals.

Player Support Personnel includes any parent, guardian, coach, trainer, Team manager, Player agent, selector, umpire, Team official, doctor, physiotherapist, dietitian, fitness or other health- related advisor or any other person employed by, contracted to, representing or otherwise affiliated to an Affiliate or Association, or any parent or other person working with, treating or assisting a Player.

Register means a register of Members kept and maintained in accordance with **clause 0**.

Team means a collection or squad of Players who compete and/or train in cricket and/or cricket activities.

1.2 Interpretation

In these By-Laws, unless the subject matter or context otherwise indicates or requires:

- (a) a reference to a function includes a reference to a power, authority and duty;
- (b) a reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority of the performance of the duty;
- (c) words importing the singular include the plural and vice versa;
- (d) words importing any gender include the other genders;
- (e) references to persons include corporations and bodies politic;
- (f) references to a person include the legal personal representatives, successors and permitted assigns of that person;

- (g) a reference to a statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them (whether of the same or any legislative authority having jurisdiction);
- (h) a reference to **present in person** means present physically or by electronic means; and
- (i) a reference to **writing** shall unless the contrary intention appears, be construed as including references to printing, lithography, photography and other modes of representing or reproducing words in a visible form, including messages sent by electronic mail;
- (j) references to business days means days other than Saturdays, Sundays and public holidays; and
- (k) references to days and cognate terms shall not be construed as referring only to business days but shall be construed to include Saturdays, Sundays and public holidays

1.3 Constitution

These By-Laws are made by the Executive Committee under the Constitution and are subject to the Constitution. In the event of any consistency between the Constitution and the By-Laws the Constitution shall prevail. Unless otherwise defined in the By-Laws terms used in the By-Laws shall be defined and interpreted in accordance with the Constitution.

2. APPLICATION OF BY-LAWS

The By-Laws shall be binding on:

- (a) the members and executive committee of The Canterbury & Western Suburbs Cricket Association;
- (b) the Affiliates;
- (c) the members and committee members of the Affiliates;
- (d) any other Cricket Participants.
- (e) participate as an affiliate of Cricket NSW so cricket can be conducted, encouraged, promoted, advanced and administered in the Region and New South Wales;
- (f) conduct, encourage, promote, advance and administer cricket throughout the Region;
- (g) ensure the maintenance and enhancement of the Association, Cricket NSW, Cricket Australia, the Members and cricket, along with its standards, quality and reputation for the benefit of the Members and cricket in New South Wales;
- (h) at all times promote mutual trust and confidence between the Association, Cricket NSW and the Members in pursuit of these Objects;
- (i) at all times act on behalf of, and in the interest of, the Members and cricket in the Region;

- (j) promote the economic and community service success, strength and stability of the Association, the Members and cricket in the Region;
- (k) affiliate and otherwise liaise with Cricket NSW and adopt its rule and policy framework to further these Objects and cricket;
- (l) use and protect the Intellectual Property;
- (m) apply the property and capacity of the Association towards the fulfilment and achievement of these Objects;
- (n) strive for government, commercial and public recognition of the Association as the controlling body for the Sport in the Region;
- (o) abide by, promulgate, enforce and secure uniformity in the application of the rules of the Sport as may be determined from time to time by Cricket NSW or Cricket Australia and as may be necessary for the management and control of cricket and related activities in the Region;
- (p) advance the operations and activities of the Association throughout the Region;
- (q) review and/or determine any matters relating to cricket which may arise, or be referred to it, by any Member;
- (r) recognise any penalty imposed by any Member;
- (s) act as arbiter (as required) on all matters pertaining to the conduct of cricket in the Region, including matters that are not otherwise under the regulation or control of Cricket NSW;
- (t) pursue such commercial arrangements, including sponsorship and marketing opportunities as are appropriate to further the interests of cricket in the Region;
- (u) adopt and implement such policies as may be developed by Cricket NSW or Cricket Australia, including (as relevant and applicable) member protection, anti-doping, health and safety, junior sport, infectious diseases and such other matters as may arise as issues to be addressed in the Sport;
- (v) represent the interests of its member's and of cricket generally in any appropriate forum in the Region;
- (w) have regard to the public interest in its operations;
- (x) do all that is reasonably necessary to enable these Objects to be achieved and enable Members to receive the benefits which these Objects are intended to achieve;
- (y) promote the health and safety of Members and all other participants in cricket in the Region;
- (z) seek and obtain improved facilities for the enjoyment of cricket in the Region;
and
- (aa) undertake and or do all such things or activities which are necessary, incidental or conducive to the advancement of these Objects.

3. INTEGRITY POLICIES

3.1 Application of Integrity Policies

Consistent with its objects as set out in the Constitution, Cricket NSW has formulated and/or adopted the policies set out in this clause 3.1 (Integrity Policies), and each person referred to in By-Law 2 of these By-Laws must comply with, and is bound by, the Integrity Policies:

- (a) NSWCA Complaints and Dispute Resolution Policy;
- (b) NSWCA Code of Conduct – as set out in By-Law 5 of these By-Laws;
- (c) NSWCA Member Protection Policy;
- (d) Cricket Australia Anti-Doping Code;
- (e) Cricket Australia Illicit Substances Rule;
- (f) NSWCA Anti-Corruption Policy;
- (g) NSWCA Safeguarding Children and Young People Policy;
- (h) Australian Cricket's Looking After our Kids Code of Behaviour;
- (i) NSWCA Code of Conduct Procedures; and
- (j) any other policy introduced by Cricket Australia or NSWCA from time to time and notified to the Affiliates.
- (k) C&WSCA Heat Policy
- (l) C&WSCA Senior Mode of Competition
- (m) C&WSCA Junior Mode of Competition

3.2 Breach of Integrity Policies

Notwithstanding anything else in these By-Laws, any alleged breach or complaint in relation to any of the Integrity Policies must be handled in accordance with the procedure set out in the relevant Integrity Policy.

4. CODE OF CONDUCT

4.1 Code of Conduct

Any Cricket Participant or Affiliate must not:

- (a) engage in conduct which brings, or is likely to bring, the interests of cricket or Cricket NSW into disrepute;
- (b) act in a manner which is, or is likely to be, prejudicial to the interests of cricket or Cricket NSW;
- (c) engage in disorderly or improper conduct or behaviour during a cricket matches;
- (d) engage in any of the offences contained in the Cricket NSW Code of Conduct Procedures;
- (e) verbally or physically abuse, assault or engage in violence with another person, intimidate another person or create a hostile environment;
- (f) make or post inappropriate, offensive or discriminatory comments in public (including via any form of social media) about another person, an Association or any of the Affiliates;
- (g) breach any requirements for safeguarding children and young people as set out in the NSWCA Safeguarding Children and Young People Policy;
- (h) victimise another person for making a complaint under any Cricket NSW policy, including any Integrity Policy;
- (i) disclose to a person or organisation any information related to cricket and/or Cricket NSW that is of a private, confidential or privileged nature without the required consent of the relevant person or entity;
- (j) make a complaint under NSWCA's Complaints and Dispute Resolution Policy that the Player or Player Support Personnel or Cricket NSW knows to be untrue, vexatious, malicious or improper; or
- (k) breach any provision of an Integrity Policy as set out in **By-Law 4.1**.

4.2 Captain's Responsibility

The Captain of a Team breaches **clause 4.1** if the Team demonstrates systemic non-compliance with the Code of Conduct, including:

- (a) where one or more Players in that Team engage in multiple breaches of the Code of Conduct during any Cricket Event; or
- (b) where one or more Players in that Team engage in continuous breaches of the Code of Conduct throughout a cricket season; or
- (c) the captain otherwise breaches Law 41.1 of the Laws of Cricket.

4.3 Code of Conduct Procedures

- (a) Subject to **clause 5.1(a)** and **clause 4.3 (b)**, any breach of this Code of Conduct by a Cricket Participant, Affiliate or Association shall be managed by the Association in accordance with the Cricket NSW Code of Conduct Procedures or

such other procedure that is not inconsistent with the Cricket NSW Code of Conduct Procedures.

- (b) Any Affiliate or Association that manages Code of Conduct breaches under its own judicial processes must use the offences and prescribed penalties set out in the Cricket NSW Code of Conduct Procedures.
- (c) Notwithstanding clause 4.3(a) (above), Cricket NSW may, in its sole discretion, intervene and take control of an alleged breach of this Code of Conduct by a Cricket Participant, Affiliate or Association and deal with the matter in accordance with any of the Integrity Policies.

4.4 Effect of Penalties Imposed by a Judiciary Committee or Appeals Panel

- (a) No replacement Player or substitute is allowed for any Player who is suspended or disqualified by a judiciary committee or Appeals Panel of Cricket NSW or any Affiliate or Association during a match.
- (b) Any person who has been suspended or fined or otherwise dealt with by a judiciary committee of any of the Affiliates or Associations may, at the discretion of the judiciary committee:

It is noted that in respect of this **clause 4.4** that any judiciary committee or Appeals Panel of the Association may not impose a penalty which is inconsistent with any person's contract of employment if that person is an employee of any of the Affiliates or Associations.

4.5 Suspended Players

- (a) Any Player who has been suspended by the judiciary committee of the Association or by any other properly constituted cricket disciplinary authority at club, association, NSW, CA or international level shall be ineligible for selection during the period of the suspension in any Team in a competition conducted by any of the Affiliates or Associations or in any Team selected by or representing any of the Affiliates or Associations.
- (b) For **clause 4.5(a)**, the period of suspension shall be:
 - (1) the period from the first date until the last date, both dates inclusive, where a period suspension is imposed; and
 - (2) 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) A Player who lodges an appeal against a suspension imposed by a judiciary committee of the Association or by any other properly constituted cricket disciplinary authority at club, association, NSW, CA or international level shall be ineligible for selection in any Team in a competition conducted by the Association or in any Team selected by or representing any of the Associations until the decision to suspend the Player has been overturned or amended by the appellate body or the period of the suspension has expired.
- (d) The Secretary of the Association shall inform Cricket NSW of any suspension of a representative Player or prospective representative Player as soon as possible after the imposition of such suspension comes to the attention of the Secretary, . for the purposes of **clause 4.5**, a "representative Player" means a person who has represented the Association in any cricket match within a prior period of 12 months.

5. DISCIPLINING, SUSPENSION AND EXPULSION OF MEMBERS

5.1 Powers of the Executive and the Association in general meeting

- (a) Where the Executive is advised or considers that a member has allegedly:
 - (1) breached, failed, refused or neglected to comply with a provision of this Constitution, the By-Laws, Cricket NSW's Constitution or By-Laws or any resolution or determination of the Executive or any duly authorised committee; or
 - (2) acted in a manner unbecoming of a member, or prejudicial to the Objects and/or interests of the Association, Cricket NSW and/or the Sport; or
 - (3) brought the Association, Cricket NSW, any other Member or the Sport into disrepute;

the Executive may commence or cause to be commenced, disciplinary proceedings against that Member.

- (b) The Executive and the Association in general meeting have the power to:
 - (1) censure the Member;
 - (2) impose a fine on the Member;
 - (3) suspend the Member from membership of the Association for a specified period;
 - (4) expel the Member from membership of the Association; and
 - (5) if the Member is expelled - disqualify the Member from being readmitted as a member for a specified period.
 - (6) The above power may only be exercised in accordance with the provisions of this **By-Law 17**.

5.2 The Executive to Cause Notice to be Served on Member

If the Executive considers that a Member may have acted in a manner referred to in **clause 5.1** and is considering passing a resolution to act of the kind referred to in **clause 5.1** against the Member, then the Executive shall cause a notice to be served on the Member. The notice shall:

- (a) specify the alleged conduct that the Executive considers that the Member may have engaged in;
- (b) specify the proposed resolution to be passed at a meeting of the Executive;
- (c) specify the date, place and time of the meeting at which it is proposed to pass the above resolution; and
- (d) inform the Member that the Member may do either or both of the following:
 - (1) attend the meeting and address the Executive at that meeting; and

- (2) submit to the Executive either at or prior to the meeting written representations relating to the proposed resolution.

5.3 Date of Executive Meeting

The meeting at which the Executive is to consider the above resolution shall be held at the date, place and time specified in the notice previously forwarded to the Member. The meeting shall be held not earlier than 14 days and not later than 28 days after service of the notice on the Member.

5.4 Procedure at Executive Meeting

At the meeting of the Executive at which the resolution is to be considered:

- (a) the Executive shall:
 - (1) give to the Member an opportunity to make oral representations to the Executive at that meeting;
 - (2) give due consideration to any written representations submitted to the Executive by the Member at or prior to the meeting; and
 - (3) by resolution:
 - (A) vote in favour of the resolution;
 - (B) vote against the resolution; or
 - (C) vote in favour of an amended resolution so long as the penalty imposed the amended resolution is less severe than the penalty contained in the original resolution contained in the notice previously forwarded to the Member; and
 - (4) the Member shall have no right to legal representation.

5.5 Notice of Executive Resolution

The Secretary shall within seven days of the passing of the resolution by the Executive forward written notice to the Member informing the Member of the content of the resolution which was passed and of the Member's right of appeal to the Members in general meeting.

5.6 Executive Resolution

- (a) If the Member who is the subject of an Executive resolution does not exercise the Member's right of appeal to the Cricket NSW Appeals Panel in accordance with the Cricket NSW Constitution, then the Executive resolution takes effect upon the expiration of that period.
- (b) If the Member exercises the Member's right of appeal to the Cricket NSW Appeals Panel, then the Executive's resolution will continue to have effect until the outcome of the appeals process.

5.7 Right of Appeal of Disciplined Member

A Member who is the subject of an Executive resolution may appeal to Cricket NSW in accordance with the process prescribed in clause 24.3 of the Cricket NSW Constitution and By-Laws.

6. REGISTER OF MEMBERS

6.1 Association to keep Register

The Association shall keep and maintain a Register in which shall be entered (as a minimum):

- (a) the full name, address, category of membership, incorporation information and date of entry to membership of each Club; and
- (b) the full name, residential address and date of entry to membership of each Executive and Life Member; and
- (c) where applicable, the date of termination of membership of any Club.

Clubs, Executive and Life Members shall provide notice of any change and required details to the Association within one (1) month of such change.

6.2 Inspection of Register

Having regard to privacy and confidentiality considerations, inspection of the Register will only be available as required by the Act and under clause 6.1(b). If permitted, only an extract of the Register, excluding the address or other direct contact details of any Life Member or Executive, shall be available for inspection (but not copying) by Members.

6.3 Use of Register

Subject to the Act, confidentiality considerations and privacy laws, the Register may be used solely to further the Objects, in such manner as the Executive considers appropriate.

7. SUBSCRIPTIONS AND FEES

- (a) The annual membership subscription (if any) and any fees or other levies payable by Members to the Association, the time for and manner of payment, shall be as determined by the Executive.
- (b) The Executive is empowered to prevent any Member whose annual subscription or any other fees are in arrears from exercising the whole or any of the rights or privileges of membership of the Club, including but not limited to the right to vote at General Meetings. There is no right to natural justice or any right of appeal where the Executive exercises its power under this **clause 7(b)**.
- (c) Where a member's annual subscription or any other fees are in arrears for more than 30 days that Member's membership ceases.

8 Composition and membership of executive committee

- (1) The executive committee is to consist of:
 - (a) a maximum of seven (7) ordinary Committee Members, each of whom is to be voted in at the Annual General Meeting of the association under clause 15.
- (2) The maximum number of executive committee members is to be seven (7).
 - (a) the president
 - (b) vice president
 - (c) the secretary
 - (d) assistant secretary
 - (e) the treasurer
 - (f) Rep Convenor
 - (g) executive member
 - (h) two (2) optional executive committee positions that can be created or removed should the executive committee recommend by way of resolution to a general meeting to address a specific association role.
 - (i) All Executive committee members shall have one deliberate vote each at all meetings.
- (3) There is no maximum number of consecutive terms for which an executive committee member may hold office.
- (4) In the event of the office of president, secretary or treasurer becoming vacant in the interval between Annual General Meetings, the vice president shall fill the vacant position, subject to this constitution.
- (5) In the event of a casual vacancy of any other office occurring, the executive committee may appoint a person to fill the vacant position, subject to this constitution.
- (6) Each member of the executive committee is, subject to this constitution, to hold office until immediately before the election of executive committee members at the Annual General Meeting next following the date of the member's election and is eligible for re-election.
- (7) The Executive Committee will decide on any rule changes or amendments that need to be implemented into the Senior Mode of Competition or Junior Mode of Competition.
- (8) The Secretary shall appoint a Sub Committee to oversee the permits and gradings of the Association.

8.1 Election of executive committee members

- (1) Nominations of candidates for election as committee members of the association or as executive committee members:
 - (a) must be made in writing (including by electronic means, if the executive committee so determines), signed by a member of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - (b) must be delivered to the secretary of the association at least fourteen (14) days before the date and time fixed for the holding of the Annual General Meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the executive committee, the candidates nominated are taken to be elected and further nominations are to be received at the Annual General Meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the executive committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary committee members of the executive committee is to be conducted at the Annual General Meeting in any usual and proper manner that the executive committee directs.
- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the association must be a member of the association or a member of a member club or other body.