

THE RULES OF QUEENSLAND CRICKET UMPIRES' AND SCORERS' ASSOCIATION INC

1. INTERPRETATION

- (a) In these rules –
- (i) **Act** means the *Associations Incorporation Act 1981* (Qld).
 - (ii) **aggrieved party** see rule 35A(c).
 - (iii) **Dispute resolution centre** means a dispute resolution centre established under the *Dispute Resolution Centres Act 1990* (Qld).
 - (iv) **Other Umpires' Associations** means all recognised Cricket Umpires' Associations or Cricket Associations (if no umpires' association exists within the centre under that association's control), in the State of Queensland.
 - (v) **Present:**
 - (A) at a Management Committee meeting, see rule 13(f); or
 - (B) at a General Meeting, see rule 23(m).
 - (vi) **Q.C.A** means the Queensland Cricket Association Ltd.
 - (vii) **Zone** means the districts into which Queensland country is divided, as defined and amended by the Q.C.A. plus an additional Zone to include all Umpires' Associations within the Brisbane region, not defined in the above country districts. The Association is excluded from any of the above districts.
- (b) A word or expression that is not defined in these rules, but is defined in the Act has, if the context permits, the meaning given by the Act.

2. NAME

The name of the incorporated association shall be QUEENSLAND CRICKET UMPIRES' AND SCORERS' ASSOCIATION Inc. (hereinafter called "the Association").

3. OBJECTS

The objects of the Association are:

- (a) To assist in the promotion, interest and advancement of the game of cricket as controlled by the Q.C.A.;
- (b) To supply qualified umpires and scorers to officiate at cricket matches as required from time to time by the Q.C.A.;
- (c) To study and enforce the interpretation of the Laws of Cricket as laid down from time to time by Cricket Australia and the Q.C.A.;

- (d) To cultivate a high standard of efficiency and to maintain the dignity of the position of an umpire and a scorer;
- (e) To advance and protect the interests of all members in any matter deemed necessary by the Association;
- (f) To provide its members with facilities or services to enhance their participation as umpires and scorers;
- (g) To disseminate information to other Umpires' and Scorers' Associations in Queensland.

4. POWERS

- (a) The Association has the powers of an individual.
- (b) The Association may, for example:
 - (i) Enter into contracts;
 - (ii) Acquire, hold, deal with and dispose of property;
 - (iii) Make charges for services and facilities it supplies; and
 - (iv) Do other things necessary or convenient to be done in carrying out its affairs.

5. MEMBERS

The members of the Association shall comprise:

- (a) Patron;
- (b) Ordinary Members (as hereinafter defined);
- (c) Life Members (as hereinafter defined);
- (d) Associate Members (as hereinafter defined);
- (e) Representative Member (as hereinafter defined);
- (f) Zone Delegates (as hereinafter defined).

6. PATRON

The position of Patron of the Association shall be filled by invitation of the Management Committee announced at each Annual General Meeting and not by election.

7. ORDINARY MEMBERS

- (a) The Ordinary Members of the Association shall comprise any number of persons who possess an adequate knowledge of the laws and practice of the game of cricket and who have proved to the satisfaction of the Examination and Coaching Committee that they possess the necessary knowledge and ability to efficiently umpire/score the game of cricket and who shall be elected to membership at a General Meeting of the Association by the affirming vote of a majority present and entitled to vote thereat. There is no right of appeal from the vote of the General Meeting.
- (b) An Ordinary Member shall not belong to any other similar organisation without the written permission of the Association.

8. LIFE MEMBERS

- (a) The Management Committee may nominate Life Members in consideration of outstanding service to umpiring/scoring, such nominations numbering not more than one in any year to be submitted to the Annual General Meeting of the Association, at which Meeting alone Life Members shall be elected.
- (b) Life Members shall be entitled to exercise all the privileges of members of the Association including the right to speak and vote on any motion at any meeting of the Association, but not to vote as a Life Member if already voting in any other capacity.

9. ASSOCIATE MEMBERS

- (a) The Associate Members of the Association shall comprise any number of persons who possess a genuine interest in the objects of the Association, and who shall be elected to Associate Membership of a General Meeting of the Association by the affirming vote of a majority present and entitled to vote thereat.
- (b) An Associate Member shall have no voting rights unless elected as an Office Bearer of the Association.
- (c) An Associate Member may become an Ordinary Member of the Association by fulfilling the requirements of Rule7(a) and by paying the difference in the Annual Subscription.

10. REPRESENTATIVE MEMBER

- (a) The Representative Member shall be the member of the Management Committee who represents "other Umpires' Associations" and who is elected annually by the Association.
- (b) The Representative Member shall hold membership in another Umpires' Association in Queensland.
- (c) The Representative Member shall be entitled to the voting rights accorded an Ordinary Member.
- (d) Duties of the Representative Member:
 - (i) To liaise between the Association and other Umpires' Associations;

- (ii) Perform the general clerical duties and attend to and sign all correspondence to other Umpires' Associations on behalf of the Association under the direction of the Management Committee;
- (iii) To chair a subcommittee formed from time to time by the Management Committee to deal with seminars and other matters pertaining to other Umpires' Associations.
The members of the subcommittee shall include the Representative Member, one or more members of the Examination and Coaching Committee and one or more other members of the Management Committee and such other personnel as determined by the Management Committee.
- (iv) To submit a written and/or oral report to each monthly meeting of the Management Committee.

11. ZONE DELEGATES

- (a) A Zone Delegate to the Association shall be the representative of the members of "other Umpires' Associations" within a particular Zone. All Zones within the state will be entitled to one delegate who will be able to attend all General Meetings.
- (b) Zone Delegates are not entitled to vote.

12. ANNUAL SUBSCRIPTIONS

- (a) The annual subscription for Ordinary Members of the Association shall be such amount as may be determined from time to time by the members of the Association at an Annual General Meeting or at any Special or Ordinary General Meeting called, inter alia, for that purpose. The amount so determined at any such meeting shall continue to apply until otherwise so determined at a subsequent meeting.
- (b) An Associate Member shall pay 40% of the annual subscription of an Ordinary Member.
- (c) The annual subscriptions shall be paid by all Ordinary and Associate Members on or before the 31st day of October each year. Any member who has not paid the annual subscription by that date shall be deemed unfinancial and all privileges of membership shall be withdrawn until the member becomes financial.
- (d) An Ordinary or Associate Member admitted to the Association on or after the 1st day of February in any year shall only be required to pay 50% of the current annual subscription provided that such member was not an ordinary or associate member of the Association in the preceding calendar year.
- (e) New members shall pay their annual subscription forthwith upon being elected as members.
- (f) The Representative Member shall be deemed to be financial and is not required to pay the annual subscription.

13. MANAGEMENT COMMITTEE

- (a) The general management of the affairs of the Association shall be vested in the Management Committee consisting of the President, Vice President, the Secretary, the Treasurer, the Representative Member and 5 Ordinary Members of the Association. The members of the Management Committee are the Office Bearers of the Association.
- (b) Subject to this rule, the Management Committee may meet and conduct its proceedings as it considers appropriate.

Note-

See also sections 70B and 70C of the Act about requirements relating to the proceedings of the Management Committee if a member of the Committee has a material personal interest in a matter being considered at a meeting of the Committee.

- (c) The Management Committee shall meet at such time and at such place as the members thereof shall from time to time decide or be summoned by the Secretary or by order of the President. 6 members of the Management Committee shall constitute a quorum.
- (d) Notice of a meeting is to be given in the way decided by the Management Committee.
- (e) The Management Committee may hold meetings, or permit a Committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (f) A Committee member who participates in the meeting as mentioned in subrule (e) is taken to be present at the meeting.
- (g) A question arising at a Committee meeting is to be decided by a majority vote of the members of the Committee present at the meeting and, if the votes are equal, the question is decided in the negative.
- (h) The President is to preside as Chairperson at a Management Committee meeting.
- (i) Should the President be absent from any meeting of the Management Committee the members present may elect one of themselves to act as Chairperson of the meeting during the absence of the President.
- (j) The Management Committee shall be subject to the direction and control of the members of the Association in General Meeting and the Management Committee shall transact any business that may be referred to it by the members in General Meeting. The Management Committee shall have power to deal with any urgent matters arising between General Meetings, subject always to the approval of the next General Meeting or to any instructions given at a previous General Meeting.
- (k) All principal matters discussed by the Management Committee at its meetings shall be conveyed to the members at a General Meeting by means of a short report.
- (l) Should any member of the Management Committee be absent from 3 consecutive meetings of the Management Committee without having obtained leave of absence from the Management Committee such member's position on the Management Committee shall automatically become vacant and nominations shall be called to fill the vacancy in accordance with these Rules. Acceptance of an apology shall be deemed to be a grant of leave of absence.

14. EXAMINATION AND COACHING COMMITTEE

- (a) At its first meeting after each Annual General Meeting the Management Committee shall:
 - (i) appoint an Examination and Coaching Committee.
 - (ii) determine the number of members of this Committee which shall comprise at least 3 members.
 - (iii) appoint a Chairperson of this Committee.
- (b) To be eligible for appointment to this Committee, a person must be a financial member of the Association and at least 3 members of the Committee must have stood in at least 25 two(2) day First Grade games or hold a recognised qualification in training and assessment programs.
- (c) The Examination and Coaching Committee shall be answerable to the Management Committee and its duties and powers shall include:
 - (i) To meet as required for the purpose of examining candidates for membership in regard to their suitability and their knowledge and interpretation of the Laws of Cricket as laid down by Cricket Australia and the Q.C.A.
 - (ii) To decide the manner in which each candidate shall be examined provided always that at least one theoretical test and (where necessary) practical test shall be given before recommending the acceptance of any candidate. The Committee shall take into consideration the mental, physical and general aptitude of each candidate examined and shall have the power to defer any candidate for any sufficient reason. The Committee may recommend to the Management Committee that an existing member be re-examined.
 - (iii) To report to the next General Meeting on the result of each examination of candidates for membership.
 - (iv) To issue certificates to persons qualified to officiate as umpires.
 - (v) To be responsible for coaching and advising on the Laws of Cricket for the benefit of members as laid down by Cricket Australia and the Q.C.A.
 - (vi) To prepare a form of examination to be approved by the Management Committee and to be thereafter used by the other Umpires' Associations in Queensland.
 - (vii) To coach and examine upon request other umpires within the State of Queensland.
 - (viii) To liaise with the Representative Member on matters pertaining to other Umpires' Associations.
 - (ix) To conduct a coaching segment at all General Meetings from August to March inclusive.

15. SCORERS' COMMITTEE

- (a) At its first meeting after each Annual General Meeting, the Management Committee shall decide whether or not to have a Scorers' Committee for the ensuing year.
- (b) If the Management Committee decides to appoint a Scorers' Committee, the Management Committee shall:
 - (i) Determine the number of members of the Scorers' Committee which shall comprise at least 3 members.
 - (ii) Appoint the members of the Scorers' Committee who shall be drawn from those Ordinary Members who have proved to the satisfaction of the Examination and Coaching Committee that they possess the necessary knowledge and ability to efficiently score the game of cricket.
- (c) The Scorers' Committee shall meet at such time and place as may be determined.
- (d) The Scorers' Committee shall elect a chairperson from amongst its members from time to time.
- (e) The Scorers' Committee shall:
 - (i) Set recommended techniques for recording the events of a match.
 - (ii) Assist the Examination and Coaching Committee with all aspects of the Association's recruitment and training of scorers.
 - (iii) Assist in the preparing of scorers' examination papers in association with and under the guidance of the Examination and Coaching Committee.
 - (iv) Issue certificates to persons qualified to officiate as scorers.
 - (v) To coach and examine upon request other scorers within the State of Queensland.
 - (vi) To submit a written and/or oral report to each monthly meeting of the Management Committee.

16. SECRETARY

The Secretary of the Association shall:

- (a) Attend all meetings of the Association and of the Management Committee and shall keep a correct record of all Minutes of such meetings and of all proceedings of the Association.
- (b) Perform the general clerical duties and attend to and sign all correspondence on behalf of the Association under the direction of the Management Committee.
- (c) Cause the issue of all notices to members, calling meetings when instructed to do so, in accordance with these Rules.

- (d) Keep all documents, books, papers and vouchers belonging to the Association pertaining to the office of Secretary and shall deliver up the same and all other property of the Association if called upon to do so at any time by the Management Committee.
- (e) Maintain a register of members of the Association which must include the following particulars for each member:
 - (i) the full name of the member;
 - (ii) the postal or residential address of the member and the member's email address;
 - (iii) the member's phone number;
 - (iv) the date of admission as a member;
 - (v) Blue Card status;
 - (vi) whether or not the member is currently financial; and
 - (vii) any other particulars the Management Committee decide.
- (f) The register must be open for inspection by members of the Association at all reasonable times.
- (g) A member must contact the Secretary to arrange an inspection of the register.
- (h) However, the Management Committee may, on the application of a member of the Association, withhold information about the member (other than the member's full name) from the register available for inspection if the Management Committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.
- (i) A member of the Association must not:
 - (i) Use information obtained from the register of members of the Association to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - (ii) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes.
- (j) Subrule (i) does not apply if the use or disclosure of the information is approved by the Association.

17. TREASURER

The Treasurer shall:

- (a) Keep all documents, books, papers and vouchers belonging to the Association pertaining to the office of Treasurer and shall deliver up the same and all other property of the Association if called upon to do so at any time by the Management Committee.
- (b) Receive all monies on behalf of the Association and after issuing receipts therefore deposit such monies to the credit of the Association in such bank or banks as the Management Committee may from time to time determine.
- (c) Submit to the President at all meetings the names of all unfinancial members.

18. FUNDS AND ACCOUNTS

- (a) The funds of the Association must be kept in the name of the Association in a financial institution decided by the Management Committee.
- (b) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.
- (c) All moneys shall be deposited as soon as practicable after receipt thereof.
- (d) All cheques drawn on the account of the Association and all orders for the withdrawal of money from the account shall be signed by any 2 of the President, the Secretary or the Treasurer.
- (e) All amounts of \$100 or over shall be paid by either a cheque signed, or electronic funds transfer authorised, by any 2 of the President, Secretary or Treasurer.
- (f) Cheques shall be crossed 'not negotiable' except those in payment of wages, allowances or petty cash recoupments which may be open.
- (g) The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system.
- (h) The Management Committee may expend any sum not exceeding \$1000.00 for the purposes of the Association provided that all such expenditure shall be reported to the next General Meeting of the Association for confirmation. Otherwise, no money shall be disbursed nor any liability incurred on behalf of the Association without the express authority of the Association in General Meeting.
- (i) The Treasurer shall submit to the General Meeting of the Association a list of all accounts then requiring payment and of all payments made by authority of the Management Committee since the previous General meeting. Upon such accounts being approved for payment or upon such payments being ratified as the case may be, details thereof shall be incorporated in the Minutes of that Meeting.
- (j) The financial year of the Association shall end on the 31st of May in each year.

- (k) As soon as practicable after the end of each financial year, the Treasurer shall cause to be prepared a statement containing particulars of:
 - (i) the income and expenditure for the financial year just ended; and
 - (ii) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.
- (l) The auditor must examine the statement prepared under subs(k) and present a report on it to the Secretary before the next Annual General Meeting following the financial year for which the audit was made.
- (m) A two-thirds majority of members present at a Special Meeting shall have power to impose levies for any special purposes.

19. ACCOUNTS AND AUDIT

An Auditor of the Association shall be appointed by resolution at the Annual General Meeting in each year. The accounts of the Association shall be audited before each Annual General Meeting. The report of such audit, together with copies of the Income and Expenditure Account, and Balance Sheet, shall be appended to the Annual Report and a copy thereof shall be furnished to each person entitled to vote at the Annual General Meeting.

20. ELECTION OF MANAGEMENT COMMITTEE

- (a) Except as otherwise provided by these Rules, the members of the Management Committee of the Association shall be elected at the Annual General Meeting each year.
- (b) Any Life Member or financial member of the Association may nominate another member (the candidate) to serve as a member of the Management Committee. A written nomination signed by the person making the nomination shall be required for all elective offices. Such nominations shall be lodged with the Secretary at least 7 days prior to the date on which the election of the particular officer is to be held and shall either be signed by the candidate as a consenting party or be consented to by the candidate in writing.
- (c) If only the number of valid nominations required to fill any office be received, the Chairperson shall declare the candidate/s duly elected.
- (d) If fewer than the required number of valid nominations be received, the Chairperson shall first declare the candidate/s duly elected, and then a majority of those present and entitled to vote may decide by the counting of a show of hands to fill the remaining vacancy or vacancies at that meeting by calling for verbal nominations and by the taking of a ballot or ballots if more candidates then are necessary to fill the office be so nominated.
- (e) Should the office not be filled in this manner at that meeting, nominations in accordance with paragraph (b) of this Rule shall be called for and an election held at the next ensuing General Meeting of the Association.
- (f) Notice of the calling of nominations and of the closing date and place shall be given by the Secretary in writing to all members of the Association not less than 14 days prior to the date set down for the meeting.

- (g) If more than the required number of valid nominations be received, a ballot or ballots shall be taken and determined in the manner hereinafter prescribed.
- (h) Rules 20(b), (d), (e) and (f) shall not apply to the nomination and election of the Representative Member.
- (i) Written nominations for the position of Representative Member may be made by the President or Secretary of other Umpires' Associations on the prescribed nomination form to be received by the Secretary of the Association no later than the 14th July each year.

21. REMOVAL OF A MEMBER OF THE MANAGEMENT COMMITTEE

Any member of the Management Committee or any other officer of the Association from time to time may be removed from office by a majority of votes of the members present and entitled to vote at a meeting of the Association specially called for that purpose. 7 days' notice of such meeting shall be given by notice addressed to each person proposed to be removed.

22. CASUAL VACANCIES

- (a) If any vacancy occurs during the year in any elective office such office shall be declared vacant at the next ensuing General Meeting of the Association. The vacancy shall be filled temporarily at the meeting at which the office is declared vacant, by the election of an acting office bearer if a majority of those present and entitled to vote so determine. In such case oral nominations shall suffice and if necessary, a ballot shall be held.
- (b) If any acting office bearer is elected in accordance with Rule 22(a) the member shall hold office and be entitled to exercise all the rights and privileges of the position until an office bearer is elected at the next ensuing general meeting of the Association for the remainder of the term of the particular office.
- (c) An election shall be held at the next General Meeting of the Association in accordance with the rules relating to the election of office bearers, to fill the vacancy until the next election for the particular office. The Secretary shall within 14 days after the holding of the meeting at which the office is declared vacant and an acting office bearer (if any) is elected notify all members of the Association:
 - (i) that an election for the office shall be held at the next General Meeting of the Association;
 - (ii) of the date, time and place of such meeting; and
 - (iii) of the name of the acting office bearer if any.

23. GENERAL MEETINGS (ANNUAL, ORDINARY, AND SPECIAL)

- (a) An Annual General Meeting must be held:
 - (i) at least once each year; and
 - (ii) within 3 months after the end of the Association's previous financial year.
- (b) The Annual General Meeting of the Association shall be deemed to be the first meeting of the season.

- (c) At least 14 clear days' notice of the Annual General Meeting shall be given by the Secretary by notice addressed to each member specifying the business to be transacted at that meeting and the time and place thereof.
- (d) The regular business of the Annual General Meeting shall be:-
 - (i) To receive the Annual Report and Financial Statements;
 - (ii) To enrol new members;
 - (iii) To elect such office bearers of the Association for the ensuing year as are required by these Rules to be elected at that meeting;
 - (iv) To elect a Life Member (if any) pursuant to these Rules;
 - (v) To transact such other business as may be properly brought before the meeting.
- (e) Ordinary General Meetings of the Association shall be held for the transaction of general business at least once in each calendar month during the cricket season at times and places to be arranged from time to time and at such other times when summoned by the Management Committee which shall give not less than 7 days' notice of each General Meeting by notice addressed to each member.
- (f) The Secretary shall from time to time when directed to do so by the Management Committee or a resolution of a majority of members present and entitled to vote at an Ordinary General Meeting or on receiving a requisition signed by not less than 6 financial ordinary members of the Association and specifying the object for which the meeting is desired convene Special General Meetings of the Association.
- (g) No resolution other than that for which the meeting has been called shall be dealt with at a Special General Meeting or at any adjournment thereof. The Chairperson of the meeting may permit a verbal amendment to any resolution if such amendment does not materially alter the intention of the original resolution.
- (h) The minutes of any Special General Meeting shall be submitted for confirmation at the next Ordinary General Meeting of the Association.
- (i) Business shall not be transacted at any meeting of the Association unless there is present a quorum of not less than 30% of the membership as it is on the 1st of January that year entitled to vote thereat provided that those so present may in the absence of a quorum after the expiration of 30 minutes from the time appointed for assembling adjourn the meeting until such time and to such place as they may think fit.
- (j) The Secretary shall keep a roll book in which each member shall record attendance at General Meetings. A record of all attendances at each general meeting shall be embodied in the minutes thereof.
- (k) The non receipt of notice of any Ordinary General Meeting or Special General Meetings by any person/s entitled to such notice shall not invalidate any of the proceedings at such meeting.
- (l) A member may take part and vote in a General Meeting in person or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.

- (m) A member who participates in a meeting as mentioned in subrule(l) is taken to be present at the meeting.
- (n) At each general meeting:
 - (i) The President is to preside as Chairperson;
 - (ii) if there is no President or if the President is not present within fifteen minutes after the time fixed for the meeting or is unwilling to act, the members present must elect 1 of their number to be Chairperson of the meeting;
 - (iii) the Chairperson must conduct the meeting in a proper and orderly way.

24. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

- (a) An act performed by the Management Committee, a subcommittee or a person acting as a member of the Management Committee is taken to have been validly performed.
- (b) Subrule (a) applies even if the act was performed when:
 - (1) There was a defect in the appointment of a member of the Management Committee, subcommittee or person acting as a member of the Management Committee; or
 - (2) A Management Committee member, subcommittee member or person acting as a member of the Management Committee was disqualified from being a member.

25. RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING

- (a) A resolution in writing signed by all the members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be as valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held.
- (b) Any such resolution may consist of several documents in like form, each signed by one or more members of the Management Committee.

26. VOTING

- (a) At a General Meeting each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present and entitled to vote.
- (b) Only members who are financial shall be entitled to vote at meetings of the Association or be eligible for nomination for or election to any office of the Association except for the Representative Member.
- (c) A person shall not exercise more than one vote on any motion at any meeting of the Association.
- (d) On any motion at any general meeting of the Association the Chairperson of the meeting shall have one vote which shall be used only in the case of an equality of votes.
- (e) The method of voting is to be decided by the Management Committee.

- (f) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.

27. (Deleted)

28. BALLOTS

- (a) Where a ballot for elective office is required the Chairperson shall announce the office and the names of the eligible candidates and shall appoint sufficient scrutineers (not being candidates) to conduct the ballot or ballots. Such scrutineers shall be at liberty to exercise the votes to which they may be entitled in the ballot.
- (b) Ballot papers shall be distributed by the scrutineers to each person who is present in the meeting in person and is entitled to vote in the election.
- (c) The Management Committee will implement a process to enable a person, who is entitled to vote in the election and is taking part in the meeting by using appropriate technology pursuant to Rule 23(1), to cast their vote in a secure and confidential manner.
- (d) Each voter shall be entitled to cast a first preference vote in each ballot for the number of candidates required to fill the office and shall mark a "1" against the name/s of the candidate/s for whom the member wishes to cast a first preference vote, and shall complete the ballot paper with the numbers 2, 3, 4... in order of preference until all candidates have been numbered.
- (e) The scrutineers shall collect the ballot papers and count the votes. Counting shall involve the addition of all numbers allocated by voters to each candidate.
- (f) The ballot paper shall be declared informal by the scrutineers if:
 - (i) The ballot paper is not properly a part of the particular ballot;
 - (ii) The voter has cast a first preference vote for more or fewer than the required number of office bearers;
 - (iii) The ballot paper is not clearly marked as aforesaid; or
 - (iv) All candidates have not been accorded a numeral as required by clause 28(d).
- (g) The scrutineers shall after counting the votes deliver the ballot papers to the Chairperson advising in writing of the number of formal and informal ballot papers returned and of the number of formal votes cast for each candidate.
- (h) Thereupon the Chairperson shall determine the result of the ballot as follows:
 - (i) The required number of candidates with the lowest total/s shall be declared elected;
 - (ii) Where candidates be equal for the final position/s to be decided for the office/s, the Chairperson shall decide which of such candidates shall be declared elected.
- (i) All ballot and relevant papers shall be retained by the Chairperson until the close of the meeting and immediately thereafter destroyed.

- (j) Any person entitled to vote in an election may require at any time after the election is decided and prior to the close of the meeting without the requirement being seconded that the meeting be informed of the number of votes obtained by all or any of the candidates in any particular ballot but the Chairperson and/or the scrutineers shall not otherwise publish or cause to be published such information.
- (k) In any ballot in which the Chairperson for the time being is a candidate, the chair shall be vacated whilst the ballot is being conducted and determined and the duties of the Chairperson under this rule shall be carried out by another office bearer of the Association elected for that purpose on a show of hands by a majority of the persons present and entitled to vote in the ballot.

29. EXPENSES

The amount and method of payment of all allowances due to umpires and scorers officiating in all interstate and other matches where the provision of umpires and scorers is arranged by or through the Q.C.A. shall be determined by the Q.C.A.

30. UNIFORM

The regulation uniform to be worn by all members umpiring at official matches shall be as determined from time to time by the Q.C.A. and Cricket Australia.

31. PROPERTY OF THE ASSOCIATION OR THE Q.C.A.

Upon any person ceasing to be a member of the Association the member shall forthwith return to the Secretary all property in the member's possession belonging to the Association or to the Q.C.A.

32. RULES OF CONDUCT

- (a) An ordinary member of the Association shall not be eligible to officiate in any other Umpires' Association or division without the written authority of the President or Secretary.
- (b) A member of the Association shall not seek to umpire or be permitted to umpire only for a specified club or clubs.
- (c) All ordinary members shall submit to the direction of the Umpires' Allocation Panel and shall officiate at the grounds to which they are respectively appointed. Upon being notified in the usual manner of the grounds to which they are appointed they shall not forego or exchange such appointment unless otherwise directed or authorised by the Umpires' Allocation Panel or by the Q.C.A.
- (d) All relevant documentation shall be returned according to policy and practice as determined by the Q.C.A. and the Association from time to time.
- (e) Members shall report to the Q.C.A. any misbehaviour of players participating in any match in which they are officiating.
- (f) When officiating at authorised fixtures umpires shall present themselves in regulation uniform which shall be clean and tidy and which shall display the official badge on the breast of the coat or shirt.

33. INFRINGEMENT OF RULES

- (a) Should any member (**Accused Member**) refuse to abide by the rules and lawful resolutions of the Association or do anything which in the opinion of the Association is contrary to the best interests of the Association or is charged with any conduct calculated to injure the Association or bring it into disrepute (**Alleged Conduct**) that member shall be given notice to appear before the Management Committee (**Notice to Appear**).
- (b) A Notice to Appear specifying the charge must be given to the Accused Member 7 days prior to their appearance before the Management Committee. Should the Accused Member not attend, the inquiry shall proceed unless a sufficient excuse for the Accused Member's absence has been received.
- (c) If the Management Committee is:
 - (i) satisfied that the Alleged Conduct occurred; and
 - (ii) is dissatisfied with the Accused Member's explanation for the Alleged Conduct;the Management Committee shall have the power to suspend, expel or otherwise deal with the offender provided always that their action shall be subject to the right of the Accused Member to appeal to the General Meeting.
- (d) A member whose membership has been affected by a decision of the Management Committee pursuant to (c) above may give the Secretary written notice of the member's intention to appeal against the decision.
- (e) A notice of intention to appeal must be given to the Secretary within 7 days after the person receives written notice of the decision.
- (f) If the Secretary receives a notice of intention to appeal, the Secretary must, include the appeal on the agenda for the General Meeting next following the giving of the notice of appeal.
- (g) At the relevant General Meeting:
 - (i) the member must be given a full and fair opportunity to show why the member should not be suspended, expelled or otherwise dealt with; and
 - (ii) the Management Committee must be given a full and fair opportunity to show why the member was either expelled, suspended or otherwise dealt with.
- (h) A member who has been suspended or expelled in accordance with this Rule shall not be readmitted to membership without the consent of the majority of those present at a General Meeting or a Special General Meeting called for that purpose.

34. BY-LAWS

The Management Committee may from time to time make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Association and any by-law may be set aside by a General Meeting of members.

35. GRIEVANCE PROCEDURE

35A The Procedure

- (a) This rule sets out a grievance procedure for dealing with a dispute under the rules between parties as mentioned in Section 47A (1) of the Act, namely:
 - (i) a member and another member; or
 - (ii) a member and the Management Committee; or
 - (iii) a member and the Association.
- (b) To remove any doubt, it is declared that the grievance procedure can not be used by a person whose membership has been terminated if the rules provide for an appeal process against the termination.
- (c) A member (**aggrieved party**) initiates the grievance procedure in relation to the dispute by giving a notice in writing of the dispute to:
 - (i) the other party; and
 - (ii) if the other party is not the Management Committee, the Management Committee.
- (d) If 2 or more members initiate a grievance procedure in relation to the same subject matter, the Management Committee may deal with the disputes in a single process and the members must choose 1 of the members (also the aggrieved party) to represent the members in the grievance procedure.
- (e) Subject to Rule 35B, the parties to the dispute must, in good faith, attempt to resolve the dispute.
- (f) If the parties to the dispute can not resolve the dispute within 14 days after the aggrieved party initiates the grievance procedure, the aggrieved party may, within a further 21 days, ask the Association's Secretary to refer the dispute to mediation.
- (g) Subject to Rule 35B, if the aggrieved party asks the Association's Secretary to refer the dispute to mediation under subrule (f), the Management Committee must refer the dispute within 14 days after the request.
- (h) If the aggrieved party does not ask the Association's Secretary to refer the dispute to mediation under subrule (f), the grievance procedure in relation to the dispute ends.

35B Grievance procedure not continued in particular circumstances

- (a) This rule applies if:
 - (i) a member initiates a grievance procedure in relation to a dispute and the Association or Association's Management Committee is the other party to the dispute; or
 - (ii) the aggrieved party asks the Association's Secretary to refer the dispute to mediation under Rule 35A(f).

- (b) The Management Committee does not have to act under Rule 35A(e) or (g) if:
- (i) the aggrieved party has, within 21 days before initiating the grievance procedure, behaved in a way that would give the Management Committee grounds for taking disciplinary action under the rules against the aggrieved party in relation to the matter the subject of the grievance procedure;
 - (ii) before the grievance procedure was initiated, a process had started to take action under the rules against the aggrieved party or terminate the aggrieved party's membership, as provided for under the rules, and the dispute relates to that process or to a matter relevant to that process;
 - (iii) the dispute relates to an obligation under the Liquor Act 1992 or any other State law to prevent the entry of the aggrieved party to, or to remove the aggrieved party from, premises used by the Association, or to refuse to serve liquor to the aggrieved party at the premises; or
 - (iv) the dispute could reasonably be considered frivolous, vexatious, misconceived or lapping in substance, or relates to a matter that has also been the subject of the grievance procedure.

35C Appointment of mediator

- (a) If a dispute under Rule 35A is referred to mediation:
- (i) the parties to the dispute must choose a mediator to conduct the mediation; or
 - (ii) if the parties are unable to agree on the appointment of a mediator within 14 days after the dispute is referred to mediation, the mediator must be:
 - (A) for a dispute between a member and another member - a person appointed by the Management Committee; or
 - (B) for a dispute between a member and the Management Committee or the Association - an accredited mediator or a mediator appointed by the director of a dispute resolution centre.
- (b) An accredited mediator may refuse to be the mediator, or the director of a dispute resolution centre may refuse to appoint a mediator, to mediate the dispute.
- (c) If the subrule (b) applies, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

35D Conduct of mediation

- (a) If a mediator is appointed under Rule 35C, the mediator must start the mediation as soon as possible after the appointment and try to finish the mediation within 28 days after the appointment.
- (b) Subrule (a) does not apply if the mediator is a mediator appointed by the director of a dispute resolution centre.

- (c) The mediator:
 - (i) must give each party to the dispute an opportunity to be heard on the matter the subject of the dispute;
 - (ii) must comply with natural justice;
 - (iii) must not act as an adjudicator or arbitrator; and
 - (iv) during the mediation - may see the parties with or without their representatives, together or separately.
- (d) The parties to the dispute must act reasonably and genuinely in the mediation and help the mediator to start and finish the mediation within the period mentioned in subrule (a).
- (e) The costs of the mediation, if any, are to be shared equally between the parties unless otherwise agreed.
- (f) If the mediator can not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

35E Representation for grievance procedure

- (a) A party to a dispute may appoint any qualified person to act on behalf of the party in the grievance procedure.
- (b) For subrule (a), a person is qualified to act on behalf of a party if the person:
 - (i) has sufficient knowledge of the matter the subject of the dispute to be able to represent the party effectively; and
 - (ii) is authorised to negotiate an agreement for the party.
- (c) If a party appoints a person under subrule (a) to act on the party's behalf, the party must give written notice of the appointment to each of the following entities:
 - (i) The other party to the dispute;
 - (ii) The Management Committee;
 - (iii) If a mediator has been appointed before the party appoints the person - the mediator.

35F Electronic communication for grievance procedure

Any meeting or mediation session required under the grievance procedure may be conducted by electronic means if the parties to the dispute and, for a mediation, the mediator agree.

36. DOCUMENTS

The Management Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

37. ALTERATION OF RULES

- (a) Subject to the provisions of the Act, these Rules may be amended, or repealed or added to by a special resolution passed at a General Meeting of the Association by the votes of $\frac{3}{4}$ of the members who are present and entitled to vote on the resolution. 14 days' notice of motion of any proposed amendment, repeal or addition shall be given in writing to the Secretary who shall forthwith notify all members 7 clear days before such meeting.
- (b) The Association may at any General Meeting adopt such by-laws or rules of order as may be deemed advisable provided that notice of motion of any such proposal shall be given in writing to the Secretary and read to the preceding meeting or that 7 days' notice in writing be given to each member.
- (c) Any proposed alteration or amendments to these Rules shall be submitted to the Q.C.A. for prior approval.
- (d) However, an amendment, repeal or addition is valid only if it is registered by the Chief Executive of the Office of Fair Trading.

38. INCOME AND PROPERTY

- (a) The income and property of the Association shall be applied solely towards the promotion of the objects of the Association as set out herein and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus otherwise howsoever by way of profit to or amongst the members of the Association. Provided that nothing herein shall prevent the payment in good faith of interest to any such member in respect of monies advanced by him or of remuneration to any officers or servants of the Association, or to any member of the Association, or other person in return for any services actually rendered to the Association. Provided further that nothing herein contained shall be construed so as to prevent the repayment to any member of out-of-pocket expenses and interest on money lent or hire of goods or rent for premises demised to the Association.
- (b) In furtherance of the objects of the Association to amalgamate with any one or more incorporated organisations having similar objects to those of the Association and which shall prohibit the distribution of its or their income and property amongst its or their members to an extent at least as great as that imposed upon this Association and which is a fund, authority or institution approved by the Commissioner of Taxation as a fund, authority or institution referred to in the Income Tax Assessment Act, 1936 (as amended).

39. CHANGE OF NAME - DISSOLUTION OF ASSOCIATION

- (a) The name of the Association shall not be changed, nor may the Association be dissolved without the consent of not less than three-quarters of the members present, entitled to vote and voting at a Special General Meeting called for that purpose.
- (b) The Association shall be dissolved in the event of the membership being less than 5 persons.
- (c) If, upon the dissolution or winding up of the Association, there remains, after the satisfaction of all its debts and liabilities, any property whatsoever; the same shall not be paid to or distributed among the members of the Association, but shall be given or transferred to some other Association, Club, Institution or Institutions having objects similar to or in part similar to the objects of the Association and which shall prohibit the distribution of its or their income

and property among its or their members to any extent at least as great as is imposed on the Association at or before the time of dissolution, and if and so far as effect cannot be given to the aforesaid provisions then to some charitable object.

40. ADDRESS AND NOTICES

- (a) A member must notify the Secretary of their residential and/or postal address and their email address and any change of any such address.
- (b) A notice required or permitted to be served under these Rules may be served on a member by:
 - (i) it being given to the member personally; or
 - (ii) posting it by pre-paid post or delivering it to the postal or residential address last notified by the member of their address in accordance with clause 40(a); or
 - (iii) emailing it to the email address last notified by the member of their address in accordance with clause 40(a).
- (c) A notice given in accordance with clause 40(b) will be treated as received:
 - (i) if sent by post, unless there is evidence of earlier delivery, on the fifth business day after it was posted;
 - (ii) if sent by email, when the email has left the sender's server;
 - (iii) if otherwise delivered, upon delivery.
- (d) A notice sent or delivered in a manner provided for in this clause must be treated as validly given to and received by the party to which it is addressed even if the addressee is absent from the place at which it is delivered or to which it is sent or the notice is returned unclaimed.
- (e) For the purposes of clause 40(b)(iii) the notice or information may be contained within an email, as an attachment to an email or located in an electronic repository accessible by the recipient by clicking a link in an email.