



British Columbia Mainland Cricket Association

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CONSTITUTION

1. The name of the Society is "BRITISH COLUMBIA MAINLAND CRICKET ASSOCIATION", hereinafter referred to as the Association.

2. The purposes of the Association are:

(a) To organize, foster, promote, improve, aid, extend and govern the playing of the game of cricket in schools and amongst the youth and adults in Vancouver and the Mainland in the Province of British Columbia.

(b) To take all steps necessary or desirable to regulate the game of cricket in Vancouver and the Mainland in the Province of British Columbia.

(c) To supervise the cricket League and other competitions for members of the Association.

(d) May affiliate with or otherwise become a member of the West Coast Cricket Organization ("Cricket BC") British Columbia Cricket Association, the Canadian Cricket Association and other such associations.

(e) To raise funds necessary for these purposes by donations or otherwise.

(f) To acquire by purchase, lease, license, gift or otherwise to hold as owner, lessee, licensee or otherwise any properties both real and personal, including moneys, as may be considered suitable for the general purposes of the Association and the same to administer, develop, operate, apply and expend for the general purposes of the Association.

3. The purposes of the Association shall be carried out without pecuniary gain or profit to its members and any profits or other accretions to the Association shall be used in promoting its purposes. These provisions shall be unalterable.

4. Upon the dissolution of the Association, any assets remaining after the payment and satisfaction of the debts and liabilities, shall be transferred to an organization having cognate or similar objectives, or to a recognized charitable organization in the Province or elsewhere in Canada, as directed by the members. These provisions shall be unalterable.

BY-LAWS

Part I - Interpretation 1.1 In these By-laws, unless the context otherwise requires, the following words shall have the meanings so defined:

(a) the 'Association' or the 'Society' means the British Columbia Mainland Cricket Association;

(b) The "League" means the British Columbia Mainland Cricket League ("League")

(c) 'Management Committee' means the governing body of the Association

(d) 'club' means an organization that is a legal entity in good standing, accepted as a member of the Association to compete in the League and other competitions; organized and supervised by the Association.

(e) 'club delegates' means an individual member, appointed by member club to act for and behalf of the club including attending and voting General meeting of Association and other meetings of association.



(f) 'Directors/officers' means the president, the first and second vice-presidents, the secretary, the treasurer and a director for junior and woman cricket duly elected by the members of the Association;

(g) 'dues' include club assessments, entrance fee, renewal fee, suspension penalties, fines for infractions and any other expenses and charges incurred or to be incurred by the Association on behalf of the club as specified in the yearly budget and the schedule;

(h) 'honorary officers' means the honorary president and honorary vice-president;

(i) Player means a member registered with the League as a member of a club which is a member of the Association

(j) 'schedule' includes the British Columbia Mainland Cricket League current schedule published on or about April of each year, containing the Constitution, By-laws, dues payable, rules and regulations governing membership, different competitions, conduct of the members and playing rules

1.2 The definitions in the Society Act on the date these By-laws become effective apply to these By-laws.

2. Words importing the singular include plural and vice versa, and words importing a male person include a female person and a corporation, a club and a society.

Part II - Membership

3. Any cricket club in the Province shall on payment of the dues be eligible for admission as a full member of the Association in good standing. A cricket club shall be a legal entity and shall include any school, university, or similar institutions, which field one or more cricket teams.

4. Any cricket club seeking membership or renewal of membership on behalf of its playing members in the Association shall make a written application accompanied with dues as set out in the schedule.

5. The application and the dues must be actually received by the secretary on or before the first of December of the year, for consideration for membership from January 1 st to December 31 st of the following year.

6. All applications for membership in the Association shall be subject to approval by the Management Committee at its sole discretion and in the event of any application being rejected, the dues shall be returned to the applicant.

7. The dues payable by a club shall be as from time to time established by the members at the Annual General Meeting or any other meeting of the members

8. Every club, shall abide by and comply with this Constitution, By-laws, ethics and laws of cricket and rules and regulations made by the Association

9. Every club in good standing shall have one vote at any general or special meeting of the Association.



10. A club are in good standing except upon failure to pay the dues and or upon expulsion or suspension or withdrawal. Withdrawal and Suspension

11. Any club shall cease to be a member of the Association:

- (a) upon notifying in writing to the secretary of the withdrawal;
- (b) on dissolution;
- (c) on failure to pay the dues, or seeking a refund;
- (d) on being expelled or suspended; and
- (e) On failure to register a cricket team in the League.

12. Any club, may be expelled or suspended:

- (a) for a wilful violation of this Constitution or the By-laws or the ethics of the game of cricket; and
- (b) or for any unfair or unsportsmanlike conduct by the playing members of the club.

13. Any club, which is the subject of any such proposed expulsion or suspension shall be given the opportunity to be heard.

14. Any club which withdraws, or is expelled or suspended from the Association shall forthwith forfeit all rights arising from or associated with the membership in the Association including but not limited to its right to participate in the League or other competition supervised and/or organized by the Association.

Part III – Officer

15.(1) The following officers of the Association shall be elected at an annual general meeting by the members of the Association for a term of two years:

- (a) President
- (b) First Vice President
- (c) Second Vice President (
- d) Secretary
- (e) Treasurer
- (f) A director with the responsibility of junior cricket and Women cricket development in the Province of British Columbia.

(2) Clubs can nominate one or more members of their club by providing written notice to the secretary of the association seven days before the date of the annual general meeting (the club nominee), to contest for any of the above noted officer positions. A club nominee who has been nominated to contest for any above noted positions, can withdraw his or her nomination by providing written notice to the secretary of the association up to two days before the scheduled Annual General meeting. The club nominee who has been nominated to contest for any of the above noted positions, can not withdraw his nomination less than two days before the day scheduled for the annual general meeting. A club nominee can be nominated to contest for only one of the above noted positions. If no written notice of nomination is received for an officer position then nomination can be received from the floor at the AGM.

(3) The officers must retire from office at an annual general meeting when their successors are elected.



- (4) Elections for each of the above noted officer positions must be held concurrently.
- (5) An election may be by acclamation, otherwise it must be by ballot.
- (6) If a successor is not elected, the person previously elected or appointed continues to hold office.

16 (1) The honorary officers of the Association must be elected at an annual general meeting by the members of the Association for a term of one year.

(2) The honorary officers must retire from office at each annual general meeting when their successors are elected.

(3) Separate elections must be held for each office to be filled.

(4) An election may be by acclamation, otherwise it must be by ballot.

(5) If a successor is not elected, the person previously elected continues to hold office.

Part IV - Duties of the Officers

17. (1) The president shall preside at all meetings of the Association, the Management Committee and club delegates.

(2) The president is the chief executive officer of the Association and shall supervise the other officers and the members of the Management Committee in the execution of their duties.

18. (1) The first vice-president and in his absence the second vice-president shall carry out the duties of the president during the president's absence.

(2) In the absence of both the president and vice-presidents at any meetings of the Association and the Management Committee, the members shall choose one of their numbers to act as a chairperson at that meeting.

19. The secretary shall:

- (a) conduct the correspondence of the Association and the League;
- (b) issue notice of meetings of the Association and the Management Committee;
- (c) keep minutes of all meetings of the Association and the Management Committee;
- (d) keep custody of all records and documents of the Association except those which are required to be kept by the treasurer;
- (e) keep custody of the common seal of the Association and maintain the register of members.

20. The treasurer shall:

- (a) keep an accurate record of all moneys received and disbursed;
- (b) keep the financial records, including books of accounts necessary to comply with the provisions of the Society Act;
- (c) make a report of the affairs and finances of the Association at every annual general meeting thereof;
- (d) have the books of the Association reviewed by an internal audit committee; and



(e) shall upon request issue a receipt for all moneys received and shall deposit such moneys in a chartered bank or trust company.

Part V - Governance

21. The management of the association shall be vested in "The Management Committee".

22. The membership of the Management Committee shall consist of:

- (a) officers of the Association; and
- (b) seven members elected at a meeting of the officers of the Association and club delegates ('delegates' meeting'), and at the delegates' meeting each officer and a delegate present shall have one vote;
- (c) the election of the seven members shall be by a majority of votes;
- (d) upon the election of the seven members to the Management Committee, the Management Committee shall elect one member among the seven members as a member responsible for all matters pertaining to junior cricket for the League.

23. The Management Committee may exercise all the powers and do all the acts and things that the association may exercise and do, and which are not by these By-laws or by statute or otherwise lawfully directed and required to be exercised or done by the association in general meeting, but subject, nevertheless to

- (a) all laws affecting the Association;
- (b) These By-laws
- (c) Rules, not inconsistent with these By-laws, which are made from time to time by the association.

24. In addition to the powers, duties and authority herein conferred upon it, and without in any ways limiting its general powers, the Management Committee shall have the following powers:

- (a) to conduct the business of the association and control its finances and to make all expenditures in connection with the conduct and operation thereof;
- (b) to suspend and or expel any club and or a team and or a playing member as provided for heretofore;
- (c) to appoint a committee of inquiry to consider matters under Bylaws 14, 15 and 26 (b);
- (d) to appoint an internal audit committee;
- (e) to call a meeting of the **club delegates** to consider and ratify schedule and budget for the current year and to fix the assessment of dues by each club and a team and forthwith give notice thereof to all clubs and teams;
- (f) to call a meeting of the **club delegates** as and when it is deemed advisable;
- (g) to exercise its authority under By-laws 49 to 54 all inclusive.

25. (1) Business other than the election of a chairperson and the adjournment of the meeting shall not be conducted at a meeting of the Management Committee at a time when a quorum is not present.



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(2) If at any time there ceases to be a quorum present, business then in progress shall be suspended until there is a quorum present or until the meeting is adjourned or terminated and shall be reconvened.

(3) The quorum for the transaction of business shall be seven (7) members among the membership of the Management Committee.

26. (1) The president may call the meeting of the Management Committee from time to time to conduct the business of the League, and the Management Committee may appoint such committees and delegate such of its powers thereto as it deems advisable.

(2) A committee so appointed shall conform to any rules and directions imposed upon it by the Management Committee and shall report all matters to the earliest meeting of the Management Committee.

27. If an officer or a member of the Management Committee shall be absent at three (3) consecutive meetings of the Management Committee without providing a good reason to the president (good reason shall be at the sole discretion of the Management Committee) then such an officer or a member shall be deemed to have resigned.

28. (1) The Management Committee may, at any time and from time to time, appoint an acting officer and or a member to fill a vacancy in the officers and or in the Management Committee respectively.

(2) An acting officer and or a member thus appointed shall hold office, only until the conclusion of the next following the annual general meeting of the society, or club delegates' meeting, or for such period as the Management Committee shall decide whichever period is shorter.

(3) If an officer and or a member resigns his office or otherwise ceases to hold office, the Management Committee may appoint an acting officer and or a member to take place of the former officer and/or of a member.

29. An officer and or a member of the Management Committee shall be reimbursed for all expenses necessarily and reasonably incurred while engaged in the affairs of the association

30. (1) The officers and members present at the meetings of the Management Committee shall each have one vote.

(2) Each delegate present at a meeting of club delegates shall have one vote.

31. (1) All questions arising at meetings of the Management Committee and club delegates shall be decided by a majority of votes.

(2) In case of equality of votes the president or a chairperson shall have a casting vote.

(3) A resolution in writing, signed by all the members, and placed within the minutes of the Management Committee is as valid and effective as if regularly passed at a meeting of the Management Committee.



Part VI - Meetings of Members

32. General meetings of the Association must be held at the time and place, in accordance with the Society Act, that the Management Committee decides.

33. Every general meeting, other than an annual general meeting, is an extraordinary general meeting.

34. (1) The Management Committee may, when it deems advisable, convene an extraordinary general meeting of the Association.

(2) An extraordinary general meeting may, in addition, be convened upon deposit with the secretary of the Association of a written requisition stating the purpose thereof and signed by at least thirty five (35) % of the clubs.

35. (1) Notice of a general meeting must specify the place, day and hour of the meeting, and, in case of special business, the general nature of that business.

(2) Notice of a general meeting shall be given in writing by the secretary of the Association to all the secretaries of the clubs, in the case of an annual general meeting not less than a clear twenty-one (21) days, and in the case of an extraordinary meeting not less than a clear fourteen (14) days, prior to the date of the meeting in respect to which such notice was given.

(3) The accidental omission to give notice of a meeting, or the non-receipt of a notice by any club entitled to receive notice shall not invalidate proceedings at that meeting.

36. (1) The Annual General Meeting of the Association shall be held on the first Tuesday in November in each calendar year at a place and time to be fixed by the Management committee.

(2) Each fiscal year of the Association shall end on the 30th day of each September.

Part VH ' Proceedings at General Meetings

37. Special business is

- (a) all business at an extraordinary general meeting except
- (b) all business transacted at an annual general meeting as follows:
 - (i) the adoption of rules of order;
 - (ii) the consideration of financial statements;
 - (iii) the report of the officers;
 - (iv) the report of the treasurer;
 - (v) the election of officers and honorary officers;
 - (vi) the other business that, under these By-laws, ought to be transacted at an annual general meeting, or business which is brought under consideration by the Management Committee.

38. (1) No business other than the election of a chairperson and the adjournment or termination of the meeting shall be conducted at a general meeting at a time when a quorum is not present.

(2) If at any time during a general meeting there ceases to be a quorum present, business then in progress shall be suspended until there is a quorum present or until the meeting is adjourned or terminated.



(3) A quorum is fifty (50) % of the members present in good standing and entitled to vote.
39. If, within half an hour after the time appointed for any general meeting, a quorum is not present, that meeting, if convened on the requisition of members, shall be terminated; but in any other case it shall stand adjourned or terminated and reconvened.

40. Subject to By-law 43, the president of the Association, the first vice-president, or the second vice president shall preside, or in the absence of these officers, the members present shall choose one of their numbers to be a chairperson.

41. if, at a general meeting,

(a) there is no president or vice-presidents present within fifteen (15) minutes after the time appointed for holding the meeting; or

(b) the president, the first vice-president and the second vice-president present are unwilling to preside, then the members present shall choose one of their numbers to be a chairperson.

42. No debate shall be permitted save on a motion regularly moved and seconded.

43. (1) Every club with the Association in good standing, present in person through club delegate shall have one vote each at a general meeting.

(2) Voting shall be by ballot.

(3) Voting by proxy shall not be permitted.

(4) All questions and matters including election of officers at a general meeting shall be decided by a majority of votes.

(5) In the case of an equality of votes the president or a chairperson shall have a casting vote.

44. Questions of order arising at all meetings of the Association not otherwise provided for in the Bylaws shall be decided by the president or a chairperson subject to a resolution to appeal to the meeting and shall be disposed of according to Robert's Parliamentary Rules of Order.

45. No such resolution shall be passed unless the same is carried by the votes of not less than three fourths of those present and entitled to vote.

Part VIII - General Signing Authority

46. Any cheques, deeds, transfers, licenses, contract and commitment on behalf of the League shall be signed by two of the three officers, either the president or the first vice-president and the secretary or treasurer.

47. The Management Committee shall arrange the schedule of League and Shield matches at the commencement of each season. All matches shall be played as scheduled unless the Management Committee decides otherwise, except that:

(a) any club unable to field a team shall automatically default the fixture and points to the opposing team in good standing:

(b) any fixture that is not commenced on account of weather shall be deemed abandoned.



Playing Rules

48. The Management Committee shall from time to time make rules governing the play of all matches. These playing rules shall be published in the schedule. No playing rule, however, shall be changed except by a majority of votes of the Management Committee and the club delegates.

Payment of Assessment

49. (1) Payments of assessment and other charges shall be made on the due dates fixed by the Management Committee.

(2) Any team for which its club fails to pay an account when due shall not participate in any League match until assessment is paid. In the event of a fixture not being played on this account, the points shall be awarded to the opposing team in good standing.

(3) The enforcement of this clause shall be at the discretion of the Management Committee.

Umpires

50. The appointment of umpires shall be under the control of the Management Committee.

In so far as umpires are supplied by the Vancouver Cricket Umpires and Scorers Association, such umpires shall officiate in all matches. Inter-City Matches

51. Teams to play Inter-City or other than League matches, shall be chosen by the Management Committee, or by a selection committee appointed by the Management Committee.

Notice to Members

52. (1) A notice may be given to a club personally, or by mail, or by fax to the secretary of the club at the registered address set out in the schedule.

(2) A notice sent by mail is deemed to have been given on the second day following the day on which the notice is posted, and in proving that notice has been given, it is sufficient to prove the notice was properly addressed and put in a Canadian post office receptacle.

Rules & Regulations

53. The rules and regulations of the League shall be established by the Management Committee and published in the schedule and the game of cricket shall be played in accordance with the Laws of Cricket subject to the Rules and Regulations as established by the Management Committee.

Contingency

54. The Constitution and By-laws of the Association are intended as a general guide and cannot specifically cover each situation that may arise. Therefore, the Management Committee shall have the authority to interpret and decide to the best of its judgment with regard to all circumstances of any specific case, any matters pertaining to any and all



clauses contained herein.

Conflict

55. In the event of any conflict between the By-laws and the provisions of the Society Act the latter shall prevail.

Constitution and By-laws in force

56. This is the Constitution and By-laws of the association and this Constitution and By-laws supersede all other Constitution and By-laws heretofore made by the Association .

Part IX' Constitution and By-laws

57. Every club in good standing is entitled to, and Association shall provide them with, copies of the Constitution and By-laws by publishing them in the schedule.

58. (1) The By-laws of the Association shall not be altered or amended except by special resolution at a general meeting.

(2) Notice of every resolution proposing such amendment shall be signed by the proposing playing member and shall be filed with the secretary at least thirty (30) days before the date of such meeting.

(3) A copy of any resolution to amend the By-laws shall be sent by the secretary of the Association to all the secretaries of all the clubs in good standing, together with a notice for the meeting at which such amendment is to be proposed.

59. Any changes in the Constitution and By-laws must be made in accordance with the provisions of the Society Act.

Remove -JU Article 5 was amended at the 2009 AGM (November 3, 2009). However, at the 2010 AGM it was determined that the constitutional amendment was passed incorrectly and deemed to be invalid. Therefore, the amendment was rescinded