

BRANDON CRICKET CLUB CONSTITUTION

1. The name of the Society is "**BRANDON CRICKET CLUB**", hereinafter referred to as the Club.
2. The purposes of the Club are:
 - (a) To organize, foster, promote, improve, aid, extend and govern the playing of the game of cricket in universities, schools and amongst the youth and adults in Brandon and the Westman Region in the Province of Manitoba.
 - (b) To take all steps necessary or desirable to regulate the game of cricket in Brandon and the Westman Region in the Province of Manitoba.
 - (c) To supervise the cricket Club and other competitions for members of the Club.
 - (d) May affiliate with or otherwise become a member of the Manitoba Cricket Association, the Canadian Cricket Club and other such Clubs.
 - (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 Club and the same to administer, develop, operate, apply and expend for the general purposes of the Club.
3. The purposes of the Club shall be carried out without pecuniary gain or profit to its members and any profits or other accretions to the Club shall be used in promoting its purposes. These provisions shall be unalterable.
4. Upon the dissolution of the Club, 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 “Club” or the “Society” or the “Club” means the Brandon Cricket Club;
- (b) “Management Committee” means the governing body of the Club;
- (c) “club” means a club and or a team accepted as a member on behalf of its playing members to compete in the Club and other competitions;
- (d) “club delegates” means one delegate from each club;
- (e) “directors” or “officers” means the president, the vice-president, the secretary, the treasurer, and the public relations officer duly elected by the members of the Club;
- (f) “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 Club on behalf of the club and teams as specified in the yearly budget and the schedule;
- (g) “honorary officers” means the honorary president and honorary vice-president;
- (h) “junior team” means a team accepted on behalf of its playing members as such by the Club;
- (i) “playing member” means a member registered with the Club as a member of a club or a team in good standing;
- (j) “schedule” includes the Brandon Cricket Club current schedule published on or about end of previous season of activity, 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 and or outside the Province shall on payment of the dues on behalf of its playing members be eligible for admission as a full

member of the Club in good standing. A cricket club shall include any school, university, or similar institutions, which fields one or more cricket teams.

4. Any cricket club member or club looking for renewal of membership on behalf of its playing members in the Club shall wait for the next years membership forms to be issued 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 game of the indoor Club season, for consideration for membership from October 11th to November 30th of the following year.
6. All applications for membership in the Club 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. Any junior team or junior individual applying for membership shall be assessed the same amount as adult member fees.
8. Any dues payable by a club for adding a player shall be notified to the Management Committee.
9. The dues payable by a player shall be as from time to time established by the members at the meeting of the club delegates.
10. Every club, team and a playing member shall abide by and comply with this Constitution, By-laws, ethics and laws of cricket and rules and regulations made by the Club and as set out in the schedule.
11. Every playing member in good standing of a club, the officers and honorary officers of the Club, and all official umpires and scorers present in person shall have one vote at any general meeting of the Club.
12. A club and a playing member are in good standing except upon failure to pay the dues and or upon expulsion or suspension or withdrawal.

Withdrawal and Suspension

13. Any club, team or a playing member shall cease to be a member of the Club:
 - (a) upon notifying in writing to the secretary of the withdrawal;
 - (b) on death or in the event of a club and or a team on dissolution;
 - (c) on failure to pay the dues;
 - (d) on being expelled or suspended.

14. Any club, team or a playing member may be expelled or suspended:
 - (a) for a wilful violation of this Constitution or the By-laws or the rules or regulations as set out in the schedule or the ethics of the game of cricket;
 - (b) or for any unfair or unsportsmanlike conduct.
15. Any club, team or a playing member who is the subject of any such proposed expulsion or suspension shall be given the opportunity to be heard in accordance with the rules and regulations as set out in the schedule.
16. Any club, team or a playing member who withdraws, or is expelled or suspended from the Club shall forthwith forfeit all rights arising from or associated with the membership in the Club.

Part III - Officers

17.
 - (1) The officers of the Club shall be elected at an annual general meeting by the members of the Club for a term of one year from the beginning of the outdoor season/end of indoor season.
 - (2) The officers must retire from office at an 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 or appointed continues to hold office.
18.
 - (1) The honorary officers of the Club must be elected at an annual general meeting by the members of the Club 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

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

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

(3) The president with the help of the vice-president shall organize the schedule for Club games, with the correspondence of the external committee, whether indoor or outdoor activity.

(4) The president must set precautionary measures of safety, insurance, before issuing membership forms to new members.

(5) With the help of other members, hold cricket clinic's to teach novel players on how to play the game and guidance as a leader.

(6) To hold public or private interviews, discussion groups, articles to certain area's of criteria where concerned. If president is unavailable, the public relations officer shall precede with motion.

20. (1) The vice-president shall carry out the duties of the president during the president's absence.

(2) Look after all the organization of each club and/or teams players list and the schedules of each game.

(3) The vice-president shall look after all equipment of the team, hold the key's to specific areas, and to address any other concerns of equipment.

(4) To address the code of conduct to the participating players, and to attend any meeting between a concerned member or club.

(5) Preside over the membership forms, whether eligibility of playing, or any other concerns before initialing the approval to the secretary.

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

21. The secretary shall:

(a) conduct the correspondence of the Club;

(b) issue notice of meetings of the Club and the Management Committee;

- (c) keep minutes of all meetings of the Club and the Management Committee;
- (d) keep custody of all records and documents of the Club except those which are required to be kept by the treasurer;
- (e) keep custody of the common seal of the Club and maintain the register of members.
- (f) look after the members list of which member was not present, after presented by the captain of the club.

22. 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 Club at every annual general meeting thereof;
- (d) have the books of the Club reviewed by an internal audit committee; and
- (e) shall upon request issue a receipt from a duplicating book for all moneys received and shall deposit such moneys in a chartered bank or trust company.

23. The public relations officer shall:

- (a) conduct advertisements of the sport to local committee members, schools, newspaper, television;
- (b) hold social meetings, events, and/or gatherings to endorse the sport of cricket and for the affiliated members;
- (c) have part-control over the email account presiding admin@brandoncricket.com, the Club's website, and shall reply to all emails solely entitled to the email address;
- (d) to help the game of cricket grow in the Brandon and Westman Region in the Province of Manitoba; and
- (e) to be in correspondence with sponsors and to locate new ways of revenue.

Part V - Governance

24. The management of the Club shall be vested in "The Management Committee".
25. The Management Committee may exercise all the powers and do all the acts and things that the Club 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 Club in general meeting, but subject, nevertheless to
 - (a) all laws affecting the Club;
 - (b) these By-laws;
 - (c) rules, not inconsistent with these By-laws, which are made from time to time by the Club.
26. 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 Club 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.
27. (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.

- (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.
28.
 - (1) The president may call the meeting of the Management Committee from time to time to conduct the business of the Club, 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.
29. 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.
30.
 - (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.
31. 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 Club.
32.
 - (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.

33. (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 Management Committee.

Part VI - Meetings of Members

34. General meetings of the Club must be held at the time and place, in accordance with the *Society Act*, that the Management Committee decides.
35. Every general meeting, other than an annual general meeting, is an extraordinary general meeting.
36. (1) The Management Committee may, when it deems advisable, convene an extraordinary general meeting of the Club.
- (2) An extraordinary general meeting may, in addition, be convened upon deposit with the secretary of the Club of a written requisition stating the purpose thereof and signed by at least twenty (20) playing members of the clubs.
37. (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 Club to all the captains 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.
38. (1) The Annual General Meeting of the Club shall be held on the first Tuesday in November in each calendar year at a place within the City of Brandon and time to be fixed by the Management Committee.
- (2) Each fiscal year of the Club shall end on the 30th day of each September.

Part VII – Proceedings at General Meetings

39. 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.
40. (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) members present in good standing and entitled to vote.
41. 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.
42. Subject to By-law 43, the president of the Club, the vice-president, shall preside, or in the absence of these officers, the members present shall choose one of their numbers to be a chairperson.
43. 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, and the first vice-president are unwilling to preside, then the members present shall choose one of their numbers to be a chairperson.
44. No debate shall be permitted save on a motion regularly moved and seconded.
45. (1) Every playing member of a club with the Club in good standing, officers and honorary officers and official umpires and scorers present in person 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 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.
46. Questions of order arising at all meetings of the Club not otherwise provided for in the By-laws 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.
47. 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

48. Any cheques, deeds, transfers, licences, contract and commitment on behalf of the Club shall be signed by two of the three officers, either the president or the vice-president and the secretary treasurer, or public relations officer.

Indoor Playing Season

49. The playing season shall commence on or about the second Saturday in November and end not later than the last Saturday in March unless otherwise provided by the Management Committee.

Outdoor Playing Season

50. The playing season shall commence on or about the second Saturday in April and end not later than the last Saturday in October unless otherwise provided by the Management Committee.

Arranging Matches

51. The Management Committee shall arrange the schedule of Club 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, including unavailability of reserve players 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

52. 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.
- (a) a different set of rules applies to indoor and outdoor cricket, which will be accessible when the proceeding schedule is released at the start of each season.

Payment of Assessment

53. (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 or members fails to pay an account when due shall not participate in any Club 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 and Score Keepers

53. The appointment of umpires shall be under the control of the Management Committee. In so far as umpires are volunteers of clubs not currently playing a match vice versa for scorers. Every umpire and scorer must be a registered member of the Club before officiating.

City Matches

54. Teams to play friendly City or other than Club matches shall be chosen by the Management Committee, or by a selection committee appointed by the Management Committee.

Notice to Members

55. (1) A notice may be given to a club personally, or by mail, or by fax to the captain 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

56. The rules and regulations of the Club shall be established by the Club 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.
- (a) the rules of cricket correspond to different procedures from indoor and outdoor, which will be addressed prior to membership.

Contingency

57. The Constitution and By-laws of the Club 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

58. In the event of any conflict between the By-laws and the provisions of the *Society Act* the later shall prevail.

Constitution and By-laws in force

59. This is the Constitution and By-laws of the Club and this Constitution and By-laws supersede all other Constitution and By-laws heretofore made by the Club.

Part IX – Constitution and By-laws

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

61.
 - (1) The By-laws of the Club 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 Club to all the captains of all the clubs in good standing, together with a notice for the meeting at which such amendment is to be proposed.
62. Any changes in the Constitution and By-laws must be made in accordance with the provisions of the *Society Act*.