



TRANSVAAL CRICKET BOARD

(Affiliated to South African Cricket Board)

TRANSVAAL CRICKET BOARD

1. NAME:

The body shall be called "TRANSVAAL CRICKET BOARD" (hereinafter referred to as the "Board").

2. The Board shall be affiliated to the South African Cricket Board.

3. AREA:

The area of jurisdiction shall be the province of the Transvaal.

4. HEADQUARTERS:

The Headquarters of the Board shall be Johannesburg.

5. COLOURS:

The colours of the Board shall be black, gold and white.

6. LAWS OF THE GAME:

The laws of cricket as laid down by the Marylebone Cricket Club shall be adopted by the Board.

7. AIMS AND OBJECTS:

(a) To foster, encourage and promote the objects of the South African Cricket Board.

(b) To govern, promote and protect the interests of the game of cricket on a non-racial basis on all levels.

(c) To formulate and control the conditions under which competitions shall be conducted and to regulate the conditions under which trophies and/or prizes offered to and accepted by the Board are to be competed for.

(d) To subscribe, grant subsidies, administer and invest the funds of the Board for the purposes calculated to promote the interests and to attain the aims and objects of the Board.

(e) To raise funds by means of subscriptions, functions and other means.

(f) To improve existing playing fields and other facilities where possible and to acquire additional playing fields and facilities.

8. MEMBERSHIP:

- 8.1 **Ordinary Membership:** Membership shall be open to all properly constituted clubs and unions organised on a non-racial basis.
- 8.2 **Associate Membership:** Associate membership may be granted to schools, school unions or colleges on such conditions as the Board may determine from time to time.

9. BOARD'S JURISDICTION:

The Board shall have jurisdiction in all matters pertaining to cricket in the area under its jurisdiction and shall settle all disputes between clubs or unions. The Board shall have the power to suspend, expel, fine or otherwise deal with any official, player, member of a club who is guilty of a breach of the Rules of the Board or the Laws of Cricket according to M.C.C. Rules or the bye-laws of the Board.

10. SUBSCRIPTIONS:

The annual subscriptions of existing and properly affiliated clubs and the terms of payment shall be determined by the Board at its Annual General Meeting. This shall be decided by a simple majority if voting takes place.

- 10.1 No affiliated club shall be entitled to representation at any General or Special General Meeting nor shall it be entitled to participate in any competitions or fixtures unless current and arrear subscriptions have been paid.
- 10.2 Clubs shall submit in triplicate a list of officials and players for the current season at the Annual General Meeting of the Board.

11. NEW AFFILIATIONS:

New applications for membership shall be made in writing accompanied by an application fee of Twenty-five Rands. This fee shall be returned in the event that the application is not accepted. In addition such clubs shall submit a copy of their rules, a list of officials and members on the prescribed form together with such additional information as the Board may require.

All such applications shall be lodged at the Preliminary Meeting to the Annual General Meeting. They shall be considered at the Annual General Meeting.

12. MEETING PRELIMINARY TO THE ANNUAL GENERAL MEETING:

- 12.1 This meeting shall be held Fourteen Days prior to the Annual General Meeting.
- 12.2 Fourteen days' written notice shall be given for this meeting.
- 12.3 The Business of this meeting shall be:-
- (a) Delegates' Credentials.
 - (b) Notice to register teams from existing clubs specifying the number of teams. Clubs shall confirm the number of teams at the annual general meeting.
 - (c) To receive applications for membership from new clubs. Such membership shall be confirmed at the Annual General Meeting.
 - (d) Nominations for the posts of President, Vice-President and Secretary shall be made at the Preliminary meeting. Nominations shall then cease and voting will take place at the Annual General Meeting.
 - (e) Proposals from clubs and the Executive regarding the subscription and other fees for the ensuing season. These will be fixed by the Annual General Meeting. No new proposals regarding fees shall be entertained at the Annual General Meeting.
 - (f) Clubs shall be supplied with copies of any intended amendments or alterations to the Constitution or the Rules of the Board. These shall be adopted or otherwise dealt with at the Annual General Meeting.
 - (g) The distribution of the various prescribed forms which must be completed by clubs will also take place at the Preliminary Meeting.
 - (h) The presentation of progress reports by various officials preparatory to the Annual General Meeting. This might include the presentation of estimates of expenditure for the ensuing season in order to guide the meeting in regard to the fixing of subscription and other fees.
 - (i) Reports by the Executive Committee of any meetings held during the off-season together with decisions arrived at at

such meetings.

- (j) General Business in preparation for the Annual General Meeting.

MEETINGS

13. ANNUAL GENERAL MEETING:

The Annual General Meeting shall be held during the month of August on a date to be set by the Executive.

The business of the Annual General Meeting shall be:

- (i) To read the notice convening the Annual General Meeting.
- (ii) To receive delegates' credentials.
- (iii) To receive the Chairman's Address.
- (iv) To read and confirm the Minutes of the previous Annual General Meeting held in the interim and to deal with matters arising therefrom.
- (v) To receive the Secretary's Report and to receive and confirm the Treasurer's Financial Statement, duly audited and the Record Clerk's report.
- (vi) To receive and confirm written notice of re-affiliation from existing clubs accompanied by the submission of Club Returns as prescribed.
- (vii) To elect officials in accordance with Clause 24 and the Executive in terms of Clause 25 of the Constitution.
- (viii) To elect all sub-committees as stipulated in the Constitution.
- (ix) To deal with correspondence.
- (x) To amend and to modify Rules (if any) of which due notice has been given.
- (xi) To deal with new applications for membership.
- (xii) To appoint auditors for the coming year.
- (xiii) To deal with general business providing that due notice has been given of such items at the meeting preliminary to the annual general meeting.

14. COUNCIL MEETINGS:

Council meetings shall be held once every month on a date

agreed upon.

15. SPECIAL GENERAL MEETINGS:

- (i) A Special General Meeting shall be called for one specific purpose on a Resolution of the Council carried by a two-thirds majority of the clubs present and voting; *or*
- (ii) By a Requisition signed by two-thirds of the Clubs.

16. EXECUTIVE COMMITTEE MEETINGS:

Executive committee meetings shall be held once a month or whenever the Executive committee finds it necessary.

17. REPRESENTATION AT MEETINGS:

Affiliated clubs, sub-unions and Associate Members shall be entitled to be represented by three (3) delegates at the Annual General Meeting and at Special General Meetings and by two (2) delegates at Council Meetings.

18. VOTING:

All Affiliated Clubs, Sub-Unions and Associate Members shall be entitled to three (3) votes each at the Annual General Meeting and to two (2) votes each at Council Meetings. Voting will be by a show of hands unless otherwise decided. The President shall have a casting as well as a deliberative vote at all meetings.

19. NOTICE OF MEETING:

The Board shall give the following due notice of meetings to all Clubs, Sub-Unions and Officials:

- (i) Fourteen days notice for the Annual General Meeting.
- (ii) Fourteen days notice for Special General Meetings.
- (iii) Seven (7) days notice for Council Meetings unless specific dates for such meetings have been stipulated at previous Council meeting or meetings. Such notices shall give the venue, date, time and nature of the business (Agenda) of Council meetings.
- (iv) Executive Meetings: Seven (7) days notice and should it be necessary notice of three days or less.
- (v) Meeting Preliminary to the Annual General Meeting: This meeting shall be held fourteen days prior to the Annual

General Meeting. Fourteen days notice shall be given.

20. MINUTES:

- 20.1 The Minutes of all Council meetings shall be read and confirmed at the next Council meeting.
- 20.2 The Minutes of all Executive Meetings shall be read at the next Council meeting where it shall be ratified. The Minutes shall be confirmed at the Executive meeting following. On ratification all amendments, proposals and recommendations of the Executive may be put into operation should the meeting so decide before such minutes are confirmed by the next Executive meeting.
- 20.3 The Minutes of Special General Meetings shall be read and confirmed at the Council meeting following the Special meeting.
- 20.4 Sub-Committee reports shall be presented to the Council meeting following the meeting/s of Sub-Committee/s unless the Sub-Committee has been instructed to report to the Executive Committee meeting first.
- 20.5 The minutes of the A.G.M. shall be read at the Council meeting following the A.G.M. for the purposes of correction.

21. QUORUM AT MEETINGS:

- 21.1 Annual General Meeting: Two-thirds of the members.
- 21.2 Special General Meetings: Two-thirds of the members.
- 21.3 Council Meetings: One-third of the members.
- 21.4 Executive Committee Meetings: Seven of the members of the committee.
- 21.5 Selection Committee: Three-fifths of the members.
- 21.6 Misconduct Committee: Three-fifths of the members.
- 21.7 Board of Appeal: Three members.

22. Sub-Committees shall be appointed at the Annual General Meeting of the Board. The President and Secretary shall be ex-officio members of all Sub-Committees except the Selection Committee or Board of Appeal.

Each Sub-Committee shall elect its own Convenor and a Recorder. The Convenor shall report back to Council or Executive Meetings.

23. STATUTORY SUB-COMMITTEES:

23.1 The Selection Committee: shall consist of FIVE members. These members shall preferably be non-players.

23.2 Misconduct Committee: shall consist of three members and the President and Secretary.

23.3 Board of Appeal: shall consist of THREE members who are not members of the Misconduct Committee.

23.4 Fixtures Committee: shall comprise the Record Clerk assisted by the Secretary and the Assistant Secretary.

24. OFFICERS OF THE BOARD:

The officers of the Board shall consist of:

(i) A Patron.

(ii) A President.

(iii) Two (2) Vice Presidents.

(iv) A Secretary.

(v) An Assistant Secretary.

(vi) A Record Clerk who shall act as Match and Registration Secretary.

(vii) A Treasurer.

24.1 The election of office bearers shall take place at the Annual General Meeting.

24.2 In the event of any vacancy occurring at any time it may be filled at the next Council or Special Meeting of the Board.

24.3 The election of the President and Vice Presidents shall be by secret ballot.

24.4 Only persons who have been members of the Board for a minimum period of two years shall be eligible as officers of the Board.

25. THE EXECUTIVE COMMITTEE:

The Executive Committee shall be elected at the Annual General Meeting. The Executive Committee shall comprise the following:

(i) The President;

(ii) The two Vice Presidents;

(iii) The Secretary;

- (iv) The Assistant Secretary;
- (v) The record Clerk;
- (vi) The Treasurer;
- (vii) Six members of the Council.

26. FUNCTIONS AND POWERS OF THE EXECUTIVE COMMITTEE:

The affairs of the Board shall be managed by the Executive Committee who shall be empowered to do all such acts and exercise such powers, rights and duties as may be necessary or expedient for the due, proper and efficient administration of the affairs of the Board. Further,

- (i) to originate and promote improvements in the Laws of Cricket and to support or oppose alterations therein. The executive shall further have the power to formulate, control, add to and amend conditions under which Competitions shall be conducted and to regulate the conditions under which trophies offered to and accepted by the Board shall be contested;
- (ii) to encourage and assist the dissemination of literature and information which may further the aims of the Board;
- (iii) to instruct the Selectors to select representative teams;
- (iv) to make, vary and repeal bye-laws for the regulation of the affairs of the Board provided that such bye-laws do not conflict with the Constitution of the Board;
- (v) to decide any disputes, points or questions arising out of any competition or tournament played under the jurisdiction of the Board;
- (vi) to refer specific matters for consideration to any of the Board's Sub-Committees.

27. FUNCTIONS OF MISCONDUCT COMMITTEE:

- (i) This Committee shall deal with all matters of misconduct referred to it by the Council meeting or by the Executive Committee.
- (ii) All decisions of the Committee shall be conveyed to the Council meeting in writing.
- (iii) All decisions shall be subject to appeal.

- (iv) Members due to appear before the Committee shall be so informed through their clubs.
- (v) Members absenting themselves from hearings without good and sufficient reason shall stand suspended from all activities of the Board until their cases are disposed of. Such decision shall be effective from the date on which the Secretary informs the club.

28. FINANCE:

28.1 The Board shall open a current banking account for day to day expenses. All payments shall be made by cheque. Two members of the Board, one of whom shall be the Treasurer, shall be authorised to sign, issue, accept any negotiable instruments on behalf of the Board.

28.2 The Board shall have the power to subscribe, grant subsidies out of, administer and invest the funds of the Board for purposes calculated to promote the interests and attain the objects of the Board.

28.3 The Board shall have the power to:

- 28.3 (i) buy, sell, let or hire, exchange, transfer, receive by way of donation or otherwise movable property and immovable property and to invest funds in fixed deposits or otherwise in banks, building societies or like organisations;
- (ii) borrow or lend money.

29. ANNUAL AUDIT:

All accounts of the Board shall be audited by a qualified accountant at least once a year. The Auditor's Report shall be presented to the Annual General Meeting for confirmation.

30. TRAVELLING EXPENSES:

- (i) The Board shall bear the travelling expenses of delegates attending meetings of the South African Cricket Board.
- (ii) Members of the Board who have been elected to serve on the South African Cricket Board shall have their travelling expenses paid by this Board in cases where such expenses are not paid by the South African Board.

31. INDEMNITY:

- (i) Every member of the Board, Auditor, Secretary, Treasurer, officer and servant of the Board shall be indemnified by the Board out of its funds in respect of all costs, losses and expenses which he may incur in the performance of his duties, except through dishonesty, bad faith or gross neglect.
- (ii) No member of the Board shall be liable for the acts, neglect or default of any other member or any officer or servant of the Board or for any loss or expense incurred by the Board or through insufficiency or deficiency of any security upon which any of the money of the Board has been invested or for any loss or damage arising from the insolvency or tortious act of any person with whom money, securities or effects has been deposited, for any loss or damage incurred by an error of judgement on his part.

32. RESCISSION OF RESOLUTION:

No resolution of the Board shall be rescinded except by a two-thirds majority at a Special General Meeting called for the purpose. Written notice shall be given for such proposed rescission within fourteen days of the meeting where the resolution was passed.

33. TERMINATION OF MEMBERSHIP:

Should any affiliated member consistently contravene the provisions of the Constitution or any bye-laws, rules or regulations made thereunder the Board may in a Council meeting at any time either suspend the member for a specific or indefinite period, or, alternatively, terminate the membership of such affiliated member provided that such termination and suspension shall not in any way extinguish any financial liability of such affiliated member to the Board. In taking action under this Clause the Board shall observe the normal principles of natural justice.

34. REPRESENTATIVE GAMES:

Any player selected to take part in a representative fixture arranged by the Board and who refuses to play without good reason and sufficient cause may be adjudged by the Board to have been guilty of misconduct, and any club or official who may be proved to have encouraged or instigated such player in his action shall be

deemed guilty of a similar offence.

35. APPEALS:

35.1 Every club shall manage its own affairs and settle matters in dispute between players and officials, but the decision/s of any club may be appealed against. Such appeal/s must be in writing and shall be lodged with the Board in triplicate with a fee of Fifteen Rands. The fee shall not be refundable. Such an appeal must be brought within one month of the decision appealed against.

One copy of the appeal shall be supplied to the club involved, one copy shall be lodged with the Secretary of the Board and the third copy shall be supplied to the Board of Appeal.

35.2 Appeals against decisions of the Misconduct Committee shall be lodged with the Secretary of the Board within fourteen days of the decision having been conveyed to the Council meeting. The appeal shall be accompanied by a fee of Fifty Rands which fee shall be refunded should the appeal succeed.

35.3 The final avenue of appeal shall be the South African Cricket Board whose provisions shall apply in this regard.

36. UNAUTHORISED GAMES:

No club or player may participate in a match or competition against players or teams consisting of players who are outside the jurisdiction of this Board except with the permission of this Board. Such permission shall be sought in writing.

37. FIXTURES:

All teams participating in fixtures shall notify the Record Clerk within forty-eight hours after the conclusion of the match/es of the results of the match by way of a copy extracted from the club's score book. The manner of such notification shall be determined by the Board.

Clubs failing shall, on the first occasion, be fined R10,00 and thereafter R20 for each occasion on which they fail to render a match return. These fines shall be payable seven days after imposition.

38. DISSOLUTION OF THE BOARD:

The Board may be dissolved at any time by a resolution in favour of dissolution by a majority of not less than three-fourths of members present in person and entitled to vote at a S.G.M. called specifically for such purpose and of which thirty days notice specifying the intention to propose such a resolution has been given.

Upon the dissolution of the Board, the property of the Board not consisting of money, shall be sold, and the proceeds, together with so much thereof as shall consist of money, shall be applied in satisfaction of the debts and liabilities of the Board and, subject thereto, the balance shall be equally distributed between the members of the Board.

39. DOUBLE STANDARDS RESOLUTION:

No member of the Board shall in any way condone, encourage, foster or advocate racialism or discrimination in any form and no individual associated with the Board or its members shall in any way condone, foster, encourage or advocate racialism or discrimination in any way whatsoever, and for the purposes of this clause, the participation in, association with or support of all forms of government bodies designed to entrench and/or promote the separateness of people via bodies such as the "Coloured Persons' Representative Council, Local Affairs Committees, Community Councils, the South African Indian Council, Management Committees and the like" or any successors thereto, shall be deemed to condone, encourage, foster or advocate racialism and discrimination and shall be dealt with in terms of this Constitution vide Clause 8.1

40. ALTERATION/S TO CONSTITUTION:

No part of this Constitution shall be amended, rescinded or altered except at an Annual General Meeting or a Special Meeting called for that purpose. Notice of any proposed alteration to the Rules or of any special business intended to be introduced at any Special General Meeting shall be sent to all affiliated units, clubs, at least fourteen days before such meeting. No part of the Constitution shall be altered or amended except by a majority of two-thirds of the members present and voting at such meeting.