

Association of Cricket Umpires & Scorers(Hong Kong, China) Constitution

The content of this document comprises the constitution of the Association of Cricket Umpires & Scorers (Hong Kong, China) (the 'Constitution')

It should be noted that anywhere in this document:

- Any reference to a person in the male gender refers equally to the female gender. It should be understood that this expression is not discriminatory and is used only for the sake of brevity.
- The term 'in writing' is deemed to include, but not be limited to, email, newsletter or by post; supported by publication of materials as appropriate on the Hong Kong Cricket Association or Association of Cricket Umpires & Scorers (Hong Kong China) websites,
- Titles in this document are simply used to facilitate reading the document
- This constitution shall be interpreted in accordance with the provisions of the Laws of Hong Kong SAR, PRC and the legal jurisdiction is that of the Hong Kong SAR, PRC.

Definitions

Within this document the following definitions shall apply:

"Committee" means the Executive Committee with responsibility for the affairs of the Association.

"Financial year" means the year ending on 30 April or on such date as might be agreed by the Committee.

"General Meeting" means a general meeting of members convened in accordance with Clause 7.

"Member" refers in general to all categories of membership: Qualified Members, Intermediate Members and Associate Members, as further defined in Clause 4.9.

"Voting Member" refers to members entitled to vote at a General Meeting based on entitlement specified in this constitution at clause 11.1.

"Laws of Cricket" means the Laws of Cricket as published by the Marylebone Cricket Club custodians of the game of cricket.

"Secretary" is a reference to the person holding the office of Secretary of the Association as defined under this Constitution.

1. Title

1.1. Association of Cricket Umpires & Scorers (Hong Kong, China) (hereinafter referred to as ACUS(HKC) or "the Association"), is an independent, unincorporated association recognised by the Hong Kong Cricket Association (HKCA) as responsible for cricket umpiring and scoring within Hong Kong.

1.2. The ACUS(HKC) is registered under the Societies Ordinance, Cap 151, Laws of Hong Kong SAR

2. Structure

2.1. The ACUS(HKC) is a Member's organisation led by an Executive Committee.

2.2. The ACUS(HKC) operates with the support of the HKCA. The ACUS(HKC) shall take account of and use reasonable endeavours to apply relevant HKCA directives, regulations and guidance.

3. Aims & Objectives

3.1. To promote the interests of cricket umpires and scorers in Hong Kong, China in particular and elsewhere in the world where appropriate.

3.2. To promote the development of umpires and scorers through education and training.

3.3. To serve the game in accordance with the Spirit of Cricket as defined in the Laws of Cricket.

4. Membership

4.1. Associate Membership to the ACUS(HKC) shall be open to any person interested in furthering its Aims & Objectives.

4.2. Persons who wish to become a Member of the ACUS(HKC) must be nominated by a Proposer and Seconder. The Proposer and Seconder shall be Qualified Members of the Association.

4.3. The application of a person for membership of the ACUS(HKC) shall be made in writing in a prescribed form and shall be lodged with the Secretary. The Secretary shall submit the application to the Committee which shall have sole discretion as to whether to admit or deny the application and shall not be obliged to offer any reasons for its decision. The Committee shall also have the sole discretion to determine whether the applicant should be awarded Qualified, Intermediate or Associate membership status upon admission.

4.4. Any properly constituted overseas organisation of cricket umpires may be granted affiliation with the ACUS(HKC) upon application. One representative of an affiliated organisation may attend and speak at meetings of the Association, but shall not, unless also personally qualified as a Voting Member be entitled to vote on any motion nor, unless a Qualified Member, hold any office in the Association. Affiliation shall be granted upon a majority vote at any General Meeting at which an application is raised.

4.5. An individual's membership may be terminated by resignation, by non-payment of dues and/or other debts, or by direction of the Committee. In addition, subject to the Disciplinary and Appeals Procedure (Appendix 1), the Committee shall be empowered to expel from membership or refuse membership to any individual it considers, at its absolute discretion, to have behaved in such a way as to bring the ACUS(HKC), the HKCA or the game of cricket into disrepute.

- 4.6. Any member whose membership has been terminated may only be re-admitted to membership by unanimous agreement of the Committee upon application for re-admission.
- 4.7. Membership shall commence from the date of issue in writing of confirmation, after receipt and acceptance of an application form and verification of all associated documentation and payment of an annual subscription as approved in a General Meeting of the Association.
- 4.8. Membership is not transferrable.
- 4.9. Membership shall comprise:

4.9.1. Life Member

(a) A person who has been an active member for not less than ten years and/or who has rendered meritorious service to the ACUS(HKC) may be nominated to the Committee for Life Membership of the Association at any time. A successful nomination for life membership must be approved unanimously by the Committee. Should a nomination be for a member of the Committee, the other members of the Committee shall consider the nomination in the absence of the nominee.

(b) Only one Life Membership appointment may be made annually.

(c) An appointment to Life Membership shall be announced at the Annual General Meeting.

4.9.2. Qualified Member

Any Member recognised by the Committee as having achieved both the requisite knowledge or other formal training qualification and field experience required for full membership.

4.9.3. Intermediate Member

Any Member who has the recognised knowledge or other formal training qualifications but has yet to achieve the field experience required for Qualified member status.

4.9.4. Associate Member

Any Member without the qualifications required for Intermediate or Qualified Member status or who is involved only on a social basis.

5. Subscriptions

- 5.1. The amount of the subscription for members and affiliated Associations shall be recommended by the Committee for approval at an Annual General Meeting.
- 5.2. Non-payment of subscriptions or levies shall render a member or representative of an affiliated organisation ineligible to act in any capacity as a member or attend meetings and functions of the Association, until amounts in arrears are paid. In extenuating circumstances the Committee may defer, exempt or waive payment.

6. Resignation of a Member

- 6.1. A member of the ACUS(HKC) who has no monies due and payable to the Association may resign from the Association by notice of resignation in writing to the Secretary. The resignation shall be effective upon acceptance by the Committee. Such acceptance is not to be unreasonably withheld or delayed.
- 6.2. A member of the ACUS(HKC) who has monies due or payable to the Association, then in addition to submitting a notice of resignation must make effective settlement of such fees, dues or other debts due or liable to be paid to Association to the satisfaction of the Committee. In extenuating circumstances the Committee may defer, exempt or waive payment. The resignation shall only be effective upon acceptance by the Committee.

7. Meetings

- 7.1. General Meetings shall commence at the notified time. The Annual General Meeting shall normally be held no later than 31st May each year.
- 7.2. It is not sufficient to simply publish the notice on a website, however it is sufficient to post supporting documentation only on an appropriate website.
- 7.3. Twenty-one days Notice of Annual General Meetings shall be given to members in writing, subject to clause 7.2. The notice must set out the time, place and specific business of the Meeting.
- 7.4. Extraordinary or Special General Meetings, may be called by the Committee or by the Secretary at the written request of ten Voting Members by giving twenty one days notice to each member and if applicable, any affiliated organisation, subject to clause 7.2. The notice must set out the time, place and specific business of the Meeting and only that business shall be discussed.
- 7.5. Committee Meetings shall be held as required by the volume and nature of the business arising, in any event at least once a quarter.
- 7.6. (a) A quorum for General Meetings shall be five Voting Members being present in person; and
(b) a quorum for Committee Meetings shall be three Committee members being present in person.
- 7.7. Any Committee member who is absent from four consecutive meetings without providing reasonable excuse shall forfeit office.
- 7.8. The Annual General Meeting shall be specified as such in the notice convening it.
- 7.9. The ordinary business of the Annual General Meeting shall be:
 - 7.9.1. to confirm the minutes of the preceding Annual General Meeting and of any Special General Meeting held since that meeting;
 - 7.9.2. to receive from the Committee, reports of the activity of the Association since the last Annual General Meeting;

7.9.3. to conduct a ballot for all positions of Committee office bearers and to install the elected officers of the Association and the Members of the Committee; and

7.9.4. to receive and consider the statement of accounts submitted by the Association in accordance with the Societies Ordinance, Cap 151, Laws of Hong Kong SAR.

7.10. The Annual General Meeting may transact special business which is considered beneficial to the Association and its members, of which notice is given in writing to the Secretary within seven days of the notice of the meeting, and advised to the members.

7.11. The Annual General Meeting shall be held in addition to any other Special General Meetings that may be held during the same year.

8. Proceedings at Meetings

8.1. These Proceedings shall be observed at all General Meetings and, where applicable, at all Annual General Meetings, Special General Meetings and Meetings of the Committee, and, to the extent of their rights under the provisions of this Constitution to representatives of affiliated organisations.

8.2. The business at all General Meetings shall be in accordance with the agenda to be circulated by the Secretary and may include, unless otherwise excluded by this constitution:

- Reading of the notice summoning the meeting
- Reading of Minutes and confirmation thereof
- Business arising from Minutes
- Admission of new members
- Correspondence
- Business arising from correspondence
- Recording of attendance, with apologies for absence
- Admission of any relevant reports
- Admission of any statement of accounts
- Discussion on Laws and Constitution
- Business adjourned from previous meetings
- Notices of motion
- Any other business

8.3. Any member desiring to speak on matters other than those listed on the Notice of Meeting, at a meeting shall rise under 'Any Other Business' and when called upon by the Chairperson shall address the Chair. If two or more members rise simultaneously, the Chairperson shall elect which member speaks first.

9. Debate on Motions

- 9.1. No member other than the proposer of a motion or an amendment shall speak on the subject until it has been seconded. A motion or amendment lapsing for want of a seconder shall not be recorded in the Minutes.
- 9.2. A motion or amendment before the Chair shall not be withdrawn except by its mover and then only with the consent of its seconder unless considered by the Chair to be frivolous. A motion may be withdrawn while an amendment is under discussion only with the consent of the Chairperson and not after any amendment has been adopted. The amendment under discussion shall then become the motion. A motion or amendment withdrawn shall not be recorded in the Minutes.
- 9.3. A motion and any amendment thereto may be dealt with by:
- Adoption as moved
 - Rejection as moved
 - Adoption after amendment of the subject matter providing there is not direct negation of the motion:
 - by striking out certain words and amending; or
 - by adding certain words to amend; or
 - by striking out certain words and inserting others in their place for the sake of clarity;
 - A resolution:
 - to adjourn the debate on the matter for such purpose and to such time as may be determined in accordance with such resolution; or
 - to refer the matter to the Committee or a sub-Committee.
- 9.4. If required to do so by the Chairperson, the proposer of any motion or amendment shall submit it in writing.
- 9.5. No member shall speak more than once to any motion or amendment, except in explanation. Each speaker shall be concise in debate or reply. When the mover of a motion has replied, no further discussion will be allowed and the question shall be put to the Meeting. An amendment shall constitute a separate question from the original motion and from any other amendment.
- 9.6. The Chairperson shall, as far as practicable, call on speakers for and against a motion or amendment alternatively, subject to the right of the seconder to speak immediately after the mover. If two consecutive speakers have both argued for or against a motion or an amendment, and there is no member wishing to argue the opposite view or, in the case of a motion, to move an amendment, the motion or amendment shall (subject, in the case of a motion, to the mover's right of reply) be put without further debate.
- 9.7. A member who has not already participated in the debate may move at any time, whether another speaker has the floor or not, "That the question be now put" which motion, if

accepted by the Chair, shall be put without amendment or debate. The Chairperson may also put the question if satisfied that adequate discussion has taken place. In either case the mover for a motion shall retain the right of reply. If an amendment is before the Chair, the closure motion shall be deemed to close the debate on the amendment only.

9.8. The Chairperson shall read, or cause to be read, any motion or amendment before it is put to the Meeting.

10. Points of Order

10.1. Any member may raise a point of order, which shall take precedence over all other business, and shall be open to discussion. An explanation or contradiction shall not constitute a legal point of order.

10.2. A point of order raised during consideration of a motion infers that the rules of procedure as set out in this Constitution appear to have been broken. The point shall be resolved by the Chairperson before business continues. The ruling of the Chairperson may be appealed to the assembly and unless the Chairperson's ruling is overturned by majority vote, it stands.

11. Voting at Meetings

11.1. Upon any questions or in the conduct of any election arising at any meeting of the ACUS(HKC), a Qualified Member has an entitlement of two votes, and an Intermediate Member has an entitlement of one vote only. If after counting the votes are equally cast, the Chairperson shall have a casting vote to declare the question resolved..

11.2. Proxies

11.2.1. Each Voting Member shall be entitled, given reasonable justification to appoint another member as his/her proxy by notice signed in writing and given to the Secretary prior to the meeting in respect of which the proxy is appointed.

11.2.2. The notice appointing the proxy shall be in the prescribed form.

11.2.3. A proxy shall be void should the Voting Member be present at the start of the meeting.

11.3. All Members, including Associate Members, shall be entitled to vote on matters pertaining to Winding up, Dissolution of the ACUS(HKC) or such motion, or on any special levy on members which would create for their class of membership a financial obligation to the Association other than subscription, joining or other membership fees and charges for goods or services wholly in the purpose of the Association. In this case, voting entitlements are as per Paragraph 11.1. Associates shall also be entitled in this case to one vote only.

11.4. Voting on all motions and amendments other than election of Office Bearers on the Committee shall be by voice vote or by a show of hands, but in the case of a motion or amendment being carried by a narrow majority, any three members may demand a re-count.

12. Rescinding a Motion

12.1. No motion, once adopted, shall be rescinded at the meeting which adopted it. A notice of motion of rescission, signed by the member giving notice, shall be lodged with the Secretary at least 21 days prior to a subsequent meeting to which the motion is to be submitted. Where the notice of motion is foreshadowed at the meeting which adopted the motion proposed to be rescinded, the adopted motion shall not be put into effect until the motion of rescission has been put to a subsequent meeting. The Secretary shall advise all members of the motion of rescission, not less than seven days prior to the meeting to which it is to be put.

13. Executive Committee

13.1. The affairs of the Association shall be managed by an Executive Committee.

13.2. The Committee:

13.2.1. shall control and manage the business and affairs of the Association;

13.2.2. may, subject to this Constitution, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by this Constitution to be exercised by members of the Association at General Meetings; and

13.2.3. subject to this Constitution, has power to perform all such acts and things as appear to the Committee to be essential for the proper management, control and reputation of the business and affairs of the Association.

13.2.4. shall have the power to establish non-Officer positions on the Committee, at its discretion, and appoint a member to fulfil those duties during the course of the Committee's term. Such positions will be dissolved at the start of the next Annual General Meeting.

13.3. The Officers of the ACUS(HKC) who must be Voting Members and may not be employees of the Association shall be:

- Chairman
- Treasurer
- Secretary
- Appointments Officer
- Training Officer

13.4. Each Officer of the ACUS(HKC) shall hold office until his/her post is due for election as declared at the next Annual General Meeting.

13.5. The Committee shall nominate a Vice Chairman from its members annually at the first meeting of the Committee after the Annual General Meeting.

13.6. In the event of a casual vacancy occurring in the office of a member of the Committee, the Committee shall co-opt a Voting Member of the Association to fill the vacancy and the

member so appointed shall hold office until the declaration of the election at the next Annual General Meeting after the date of appointment.

14. Roles & Responsibilities of the Committee

14.1. Chairman

- Conduct General and Committee Meetings in accordance with good practice and authorise minutes thereof.
- Represent the ACUS(HKC) at HKCA Executive Committee meetings as required, and report back to the Association meetings on matters arising therefrom. In the event of the Chairman being unavailable, he may nominate an alternate to represent the Association at the HKCA Executive Committee meetings.
- Appoint a member of the Committee to perform the duties of Secretary, or Treasurer in the event of a temporary absence of either.
- Allocate to Committee members, responsibility for the organisation, implementation and management of specific Association activities.

14.2. Secretary

- Record minutes of the proceedings of General and Committee Meetings of the ACUS(HKC).
- Receive correspondence on behalf of the Association, initiate appropriate administrative action as a result thereof, and maintain a correspondence file.
- Record members' attendance at Association meetings.
- Co-ordinate the production of an Annual Report of the activities of the Association.
- Undertake the administrative arrangements relating to the annual election of Office Bearers in accordance with Paragraph 17.
- Call Special Meetings of the Association in accordance with Paragraph 8
- Accept responsibility for the organisation, implementation and management of specific Association activities as directed by the Chairman.
- Maintain a Register of Members including contact details.
- Report to Association meetings on specific areas of responsibility.
- Except as otherwise provided in this Constitution, the Secretary shall be responsible for the custody and control of all books, documents and securities of the Association, which any member may inspect, by arrangement with the Secretary.

14.3. Treasurer

- Receive and deposit in the ACUS(HKC)'s Bank Account, all monies due to the Association.
- Pay all accounts properly incurred on behalf of the Association.

- Invest surplus funds of the Association as directed by the Committee.
- Maintain proper records of all financial transactions of the Association.
- Submit a summary of the financial transactions for each year ended 30 April, together with the financial records, for examination by the Association's auditors.
- Report to Association meetings on the financial activities of the Association.
- Accept responsibility for the preparation of a budget of the Association's finances, and monitor and review that budget.

14.4. Training Officer

- Maintain Members' training and qualification records
- Provide local training courses and seminars
- Coordinate the local umpire/scorer development programme
- Liaise with ICC, ACC and other external bodies
- Coordinate overseas training courses and attachments
- Update Members on changes to the Laws and relevant playing conditions

14.5. Appointments Officer

- Produce the senior league and cup umpires appointments
- Coordinate the Saturday and Women's League appointments
- Appoint umpires in support of local national team events
- Provide ad hoc assistance to Clubs seeking umpires for special events

14.6. Any Committee member may, with the approval of the Committee, co-opt any member of the Association to assist in the discharge of his or her duties in relation to his or her areas of responsibility.

15. Election of Executive Committee Members

15.1. Officers shall be elected annually by ballot at the Annual General Meeting.

15.2. Nominations, signed by the proposer and the nominee, shall be lodged with the Secretary within 7 days subsequent to the Notice of the Annual General Meeting. A Voting Member may be nominated for more than one office. If insufficient nominations are received the Committee shall submit nominations for any open position.

15.3. Elected Office Bearers shall be installed at the Annual General Meeting.

15.4. Vacancies occurring between Annual General Meetings shall be filled in accordance with Paragraph 13.6.

16. Honoraria and Allowances

16.1. An Honorarium shall not be paid to any member of the Committee for conduct of Committee duties.

16.2. No member of the Committee will be an employee of the Association.

17. Members Obligations

17.1. No member, or representative of an affiliated organisation, shall:

- Disclose the business of the Association to non-members unless empowered to do so by the Committee or the Association through General Meeting;
- Canvass any person for the purpose of favour in appointments of himself or another umpire or scorer;
- Make adverse statements on umpires' decisions or the activities of scorers unless as an exercise of an office bearer's role and duties or in response to an official request from the Committee.

18. Honorary Auditor

18.1. An Honorary Auditor shall be appointed at each Annual General Meeting, for the purpose of auditing the Association's financial records should this be deemed necessary under the Societies Ordinance, Laws of Hong Kong SAR.

19. Cheques

19.1. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two members of the Committee.

20. Interpretation & Amendment to the Constitution

20.1. The Committee shall be responsible for the interpretation of this Constitution and shall decide on any matter on which this Constitution is silent.

20.2. Amendment to this Constitution may be made only upon resolution at a General Meeting agreed by a majority vote of no less than two-thirds.

21. Notices

21.1. Notice may be served by or on behalf of the ACUS(HKC) upon any member either personally, or by sending it by post to the member at the address shown in the Register of Members, or by facsimile transmission to the facsimile number or electronic transmission to the email or other form of address recorded in the Register of Members,.

21.2. Where a document is properly addressed pre-paid and posted to a person as a letter, the document shall unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post. Where a Notice is delivered by facsimile or by electronic transmission shall be deemed to have been delivered on the same date as recorded as being sent subject to the contrary being proved.

22. Dissolution & Disposal of Assets

- 22.1. Dissolution of the ACUS(HKC) may be decided at a duly convened meeting by a vote of paid up Members present by a two-thirds majority.
- 22.2. In the event of the dissolution of the ACUS(HKC), the assets of the Association shall be disposed of after settlement of all outstanding dues and taxes following agreement by General Meeting constituted to consider the matter by payment to firstly, an alternate Umpiring and Scorers Association in Hong Kong; secondly, the HKCA; or thirdly, another association with similar objectives; or in the absence of any of the former then an international body with similar objectives and in the absence of this a registered Hong Kong charity

Appendix 1 Disciplinary & Appeals Procedure (C.f. Constitution Paragraph 4.5)

- 1) The Executive Committee has jurisdiction only over Members and those who wish to become members.
- 2) All Members are expected to uphold the Aims and Objectives of the ACUS(HKC) at all times
- 3) If any Member is deemed, at the absolute discretion of the Executive Committee, to have brought the ACUS(HKC), the HKCA or the game of cricket into disrepute he will be subject to disciplinary procedures set out within this Appendix.
- 4) All complaints regarding the behaviour of any Member shall be lodged in writing with the Secretary or Chairman.
- 5) The Executive Committee shall appoint a Disciplinary Sub-committee which shall meet to hear complaints within 30 days of a complaint being lodged.
- 6) Any Member requested to attend a Disciplinary Sub-committee hearing shall be entitled to be accompanied by a friend or representative and to call witnesses. The Disciplinary Sub-committee has absolute discretion as to the form and the content of such a hearing.
- 7) The Sub-committee is to pass its findings with recommendations to the Executive Committee which has the power to take disciplinary action including suspension or termination of membership.
- 8) The outcome of the hearing as endorsed by the Executive Committee shall be put in writing to the person lodging the complaint and the Member against whom the complaint was made within three working days of the hearing.
- 9) There shall be a right of appeal to the Executive Committee against the finding, the sanction imposed or both following the disciplinary action taken.
- 10) All appeals are to be lodged in writing with the Secretary or Chairman within 3 days of the notification of action.
- 11) The Executive Committee shall appoint an Appeals Committee (a minimum of 3 and maximum of 5 persons) with an independent Chairman and which shall not include any member involved in the initial disciplinary hearing, and may include non-ACUS(HKC) members.
- 12) The Appeals Committee shall consider the appeal within 15 days of the appeal being lodged.
- 13) At an appeals hearing, the appellant shall be entitled to be accompanied and to call witnesses. The Appeals Committee has absolute discretion as to the form and content of the hearing.
- 14) The Appeals Committee shall have the power, at its absolute discretion, to uphold, reverse or otherwise alter the original decision including the increase of any imposed sanction.
- 15) The decision of the Appeals Committee shall be final and binding on all parties with no further right of appeal.