

# THE CONSTITUTION OF THE HOUSTON CRICKET LEAGUE



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# CONSTITUTION

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## **Section I - Title, Objectives and Affiliations**

### **ARTICLE 1: TITLE**

The name of this organization shall be the Houston Cricket League, hereinafter referred to as the "HCL" and shall consist of clubs and its members recognized by its Executive Committee, hereinafter referred to as the "EC". The HCL is an Internal Revenue Service (IRS) recognized 501 ( c ) ( 3 ) non-profit organization.

### **ARTICLE 2: OBJECTIVES**

The purpose, for which the HCL is formed, is:

- 2.1 To provide an organised cricket league in the Greater Houston Area
- 2.2 To promote the development of the sport of cricket among the local population through education, organization and competition as a non-profit organization.
- 2.3 To provide its members the opportunity to participate in representative cricket at the highest possible levels in the United States of America at the regional, national and international level competitions.

### **ARTICLE 3: MEMBERSHIP & AFFILIATIONS**

The membership of the HCL shall be set out in the by-laws, which shall prescribe the membership qualifications, the provision for admission of new members and the provisions for the suspension, termination and reinstatement of membership. The HCL shall act as an autonomous cricket body for the Greater Houston Area. Organizational affiliations with other regional, national and international organizations will require approval by a majority of HCL member clubs during an AGM or EGM.

### **ARTICLE 4: WAIVER OF LIABILITY**

The HCL and its Officers will not be liable and assumes no responsibility for any personal injuries, property loss or damage to any individual or to any member club through the normal course of play of any HCL scheduled game or tournament. Member clubs and its players shall be deemed to have accepted this waiver by registering to play in the Houston Cricket League.

### **ARTICLE 5: GOVERNMENT**

The Government and the control and management of all properties and affairs of the HCL shall be vested in the EC as set forth in the by-laws which shall provide for the definition of the EC, the election of the officers of the HCL, their terms in office, their powers and their duties.

## **ARTICLE 6: AMENDMENTS TO CONSTITUTION**

HCL Constitution can be amended only at any Extraordinary or Annual General meeting of the HCL by two-thirds majority of the total eligible votes.

### **ARTICLE 7: ORGANIZATION UNDER SECTION 501 (C) (3) OF THE INTERNAL REVENUE CODE**

- 7.1 This organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal code.
- 7.2 No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be carrying of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.
- 7.3 Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of the section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

## **Article 8 Acceptance of Constitution, By-laws and EC Rulings**

By entering a registration to play in the Houston Cricket League, each Club, Team and Club member waives all rights to sue, (take any legal action), against the Houston Cricket League, the Houston Cricket League Executive Committee, The Houston cricket League Clubs, teams and members on any HCL cricket related matter including, but not limited to:

- HCL constitution
- HCL rules
- HCL EC rulings or decisions
- HCL results
- HCL ground management & assignment
- HCL team selections
- HCL Scheduling

By registering to play in the HCL, you acknowledge that all cricket related decisions, results, disputes and rulings are administered by the HCL EC and the appeal process as stated in the HCL constitution. Further you acknowledge that any threat to sue or attempt to sue (or bring any action legal action) against the HCL is grounds for the immediate forfeiture of the individuals registration and right to play in the HCL, and / or clubs and or team HCL registration and right to play in HCL organized competitions. Any action taken to revoke and individuals, team or clubs registration shall be determined by a majority vote of the HCL EC. Action taken as determined by the HCL EC shall take immediate effect without recourse or refund of any fees paid to the HCL.

## **ARTICLE 9: EFFECTIVE DATE**

The effective date of this amended constitution shall be 01-Feb-2014

## **Section II - By-Laws**

### **ARTICLE 1: MEMBER CLUBS**

- 1.1. Member clubs shall be categorized as Full member or Associate member. Full member shall have the voting rights in AGM or EGM. Associate member cannot vote in AGM or EGM.
- 1.2. Member clubs may comprise any organized cricket club in the Greater Houston Area that has access to a suitable (approved) ground, upon written application and following necessary acceptance by the EC. Member clubs can participate in the competition and meetings only while in good standing with respect to payment of annual dues and fees.
- 1.3. A cricket club that is admitted as a member of the HCL shall be categorized as Associate member. An Associate member club shall convert to full member club on completion of two years in good standing at HCL AGM. Each member club shall be required to be also a member of the organization as agreed under ARTICLE 3 in Section I above. All applicable fees shall be set each year at the Annual General Meeting (AGM) in accordance with the needs of the HCL. The fees shall be paid at the AGM, and in any event, no later than one month before the first summer league match of the season. There shall be a late charge after the due date, the amount to be determined by the EC and shall not exceed 50% of the annual fee. Any club that has not paid the dues as well as the late charges will forfeit all games played prior to the payment of the dues and late charges.
- 1.4. Any club that is in arrears of the fines, dues and late charges at the beginning of the season, shall cease to be a member of the HCL. In order for the club to be eligible for reinstatement, it shall first pay the amount owed to the HCL including a penalty equal to the initial joining fee.

### **ARTICLE 2: OFFICERS**

- 2.1 The Officers of the HCL shall consist of President, Vice President, Treasurer, Secretary and 6 ex-officio Officers. These 10 Officers shall constitute the members of the Executive Committee.
- 2.2. Elections shall be conducted at the Annual General Meeting (AGM). All positions shall be elected for a two-year period. Officers shall be elected from one or more candidates nominated and seconded by the member clubs.
- 2.3 Each of the elected Officers shall be eligible for re-election at the end of their term of office. Any mid-term EC vacancy can be filled through appointment by the President, subject to the approval of the remaining members of the EC. The President shall have a maximum term of 3 consecutive terms.
- 2.4 An EGM may be called by the member clubs as described in Article 5.2 to call for a new election of officers.

### ARTICLE 3: DUTIES OF THE OFFICERS

- 3.1 **The President** shall preside at all general and executive meetings. He shall be an ex-officio member of all committees. He shall appoint committees not required to be elected at the AGM. He shall organize the routine business of the HCL through his leadership of the EC.
- 3.2 **The Vice President** shall act in the absence of the President with the same power and authority. He shall be chairman of the Disciplinary Committee. He shall submit a written report at the AGM on all reviews of his Committee.
- 3.3 **The Secretary** shall keep a permanent record of all the minutes of all meetings. He shall be the custodian of all official records of the HCL including registration of players. He shall transact any correspondence as directed by the President and the EC. He shall notify each member club of all relevant meetings. He shall oversee the score and statistic reporting from the clubs. He shall be responsible for creation of the HCL summer schedule. He shall be chairman of the Awards Committee.
- 3.4 **The Treasurer** shall have custody of all funds of the HCL. He shall keep the financial records of the HCL. He shall update all financial activities on the QuickBook online within a reasonable time. He shall disburse funds with proper concurrence of the President and the Executive Committee. He shall present a written financial report at the AGM. He shall be chairman of the Finance Committee.
- 3.5 The 6 Ex-Officio Officers will be full members of the EC, and will undertake additional roles as directed by the president or the EC.

### ARTICLE 4: COMMITTEES

- 4.1 **Executive Committee (“EC”)**
  - EC will comprise of 10 elected HCL officers.
  - EC shall be the governing body of the HCL.
  - EC shall have control and management of the property and monies of the HCL.
  - EC shall hold not less than 6 meetings per year at a time and venue to be determined by the President.
  - Each Officer shall have one vote each at the meetings of the EC.
  - EC Meetings will have a quorum of 6 members.
  - Admission to and participation in an EC meeting shall be limited to the elected Officers, and to such other individuals as invited by the EC. Only Officers will participate in any votes that may take place at such meetings.
  - All records of the HCL shall be turned over to the new Officers at the end of the terms of the existing Officers.

#### **4.2 Disciplinary Committee (“DC”)**

- DC will be chaired by the Vice President.
- DC will decide on any incidents involving HCL Code of Conduct violations by an individual or a club.
- At least seven days written notice will be provided regarding the hearing date and of the offence alleged to the player and/or club involved through the team's official contact.
- The player or team shall be entitled to attend the hearing and to call witnesses.
- All DC decisions will be subject to the appeals process.

#### **4.3 Umpiring Committee (“UC”)**

- UC will be chaired by any EC Officer or HCL Member appointed by President.
- UC will facilitate and conduct umpires’ training and certification sessions for HCL umpires.
- UC will co-ordinate umpiring assignments and training sessions for HCL umpires.
- UC will address any disputes and issues involving HCL umpires or interpretation of playing rules and regulations.

#### **4.4 Appeals Committee**

- Appeals committee will be chaired by the President.
- All Appeals will be addressed by the full Executive Committee.

#### **4.5 Finance Committee**

- Finance committee will be chaired by the Treasurer.
- The funds of the HCL shall be deposited by the Treasurer in a bank or banks to be named by the EC upon the advice of the Finance committee.
- Disbursement from general funds shall require budget approval of the EC and there after the Treasurer will make appropriate payments.
- At least 2 officers of the EC will be signatories on all HCL bank accounts to allow efficient operations in the absence of the Treasurer.
- Prior to the beginning of the cricket season, either the Finance Committee or the Treasurer shall prepare a budget of the estimated expenditures for the ensuing season. The budget shall be submitted to the EC for approval. Upon approval, the budget shall stand as the limit of expenditure for the purpose specified. Additional expenditures, whether in excess of the budget or for other purposes, shall not be expended without prior approval of the EC.
- This committee shall prepare a full report of the Finances of the HCL to be presented by the Treasurer at the AGM. This report, together with any related amendments, must be approved by a majority of valid votes cast at this meeting.

#### **4.6 Grounds Committee**

- Grounds committee will be chaired by any EC officer appointed by President.
- This committee will monitor the fitness of all HCL grounds and order any required improvements.
- It will refer all cases of non-compliance to the EC.

#### **4.7 Awards Committee**

- Awards committee will be chaired by the Secretary.
- This committee will decide and announce all HCL individual and team performance awards at the AGM and other HCL events.

#### **4.8 Committee Appointments**

- The President shall constitute additional committees and sub-committees as and when required.
- The constitution and recommendations of all committees and sub-committees will be subject to scrutiny and approval by the EC.

### **ARTICLE 5: MEETINGS**

- 5.1 The general meeting held at the end of the season, for which 15 days written notice will be given, shall be called the **Annual General Meeting (AGM)** and shall be for the purpose of electing Officers, debating and approving reports from the EC, and considering written resolutions from either the EC or member clubs. The presence of 51% of the voting members will constitute a quorum for a general meeting (AGM or EGM)
- 5.2 An **Extraordinary General Meeting (EGM)** may be called at any time, following a resolution from the EC, or at the request of at least 50% of voting members. At least ten day notice of such a meeting, specifying the business to be transacted and the date, time and place of the meeting, shall be sent to each team

### **ARTICLE 6: VOTING**

- 6.1 The voting delegate for a member club must be affiliated with the member club or have authorization from the registered Club president of the member club.
- 6.2 At an AGM or EGM, each member club in good standing shall have one vote.
- 6.3 Resolutions shall be carried by a simple majority vote. Candidates receiving the greatest number of votes in an election of Officers shall be considered elected. When there are two or more candidates for an office, a vote must be taken until there is a clear winner.



#### **6.4 Tie-Breaker (Casting) vote**

In the event of a tie of votes at any meeting - AGM, EGM, EC, Committee or Sub-Committee meeting:

- The Chairman of the meeting shall have the casting vote, except for the election of Officers as provided above and in matters involving the club to which the Chairman belongs
- This tie-breaking vote is separate and additional from the votes cast by the President, Vice President or committee chairman during the initial voting.

#### **6.5 Absentee and/or Proxy voting at any meeting shall be allowed provided the following conditions are met:**

- The vote is submitted in writing. (Faxed or E-mailed copy is considered acceptable)
- It is signed and dated by an authorized representative of the member club (name and capacity to be indicated).
- The specific issue on which the vote is being cast is clearly stated.

### **ARTICLE 7: CLUB REORGANIZATIONS**

- No Team or Club mergers are to be allowed after the season start
- Club Mergers taking place at the end of the season are allowed and will not affect the Promotions and Relegations

### **ARTICLE 8: NEW TEAM ELIGIBILITY**

- First or Second Team inclusions by member club with sole rights for their HCL approved home ground shall be allowed
- Third Team inclusions by member club with sole rights for their HCL approved home ground shall be allowed only when the overall Ground-to-Team ratio is below the set ratio (2.7 teams per ground)
- Second Team inclusions by member club who does not have sole ground rights but has the partnership ground rights shall be allowed only when the overall Ground-to-Team ratio is below the set ratio
- In any case, more than Three teams by a member club shall not be allowed

### **ARTICLE#9 AGM & ELECTION PROCESS**

#### **9.1 Nominations**

- HCL EC shall set the AGM date and invite nominations for all EC positions from permanent HCL member clubs by at least three weeks prior to HCL AGM.
- HCL shall invite constitution amendment proposals from the permanent member clubs
- Only Permanent Member clubs are eligible to submit nominations and they shall nominate only one candidate per EC position
- Nominations submission and the acceptance by candidates shall close one week prior to the AGM day

- Each club shall submit only one nomination list with candidates name, position and their contact email
- Each candidate shall send their nomination acceptance by nomination close. Clubs shall choose to collect and forward these acceptances along with their nominations list also
- Each candidate shall be nominated by at least two member clubs
- HCL shall not accept nominations or constitution amendment proposals after the nomination close date
- HCL shall publish all accepted nominations as candidates list to all member clubs within three days after the nominations close date

### **9.2 Election Chairman**

- HCL EC shall appoint a non-contesting person to conduct the election as Election Chairman
- HCL shall invite one of the past HCL president or past HCL EC member or member club president to serve as the Election chair
- HCL shall announce the Chairman name along with the candidates list

### **9.3 AGM attendees**

- At the most two candidates from each club shall attend the HCL AGM
- Election Chair is an expected guest
- Past HCL presidents shall be allowed as observers
- Current HCL EC members shall be allowed as observers
- Each permanent member club shall cast only one vote and no proxies are allowed

### **9.4 AGM Agenda**

- Club & team registrations
- HCL Secretary shall announce the start of AGM and verify the quorum
- HCL President shall summarize the highlights of the year
- HCL Treasurer to present the financial statement
- Constitution Agenda proposals shall be presented by member clubs for voting
- Election Chair shall be invited to conduct the election
- President, Vice-President, Secretary and Treasurer Election shall follow in order
- Ex-officio election shall follow as a group election and top six shall be the new Ex-Officios
- In the event of tie, Election chair shall place the tied candidate names in concealed tickets and invite one of the AGM attendee to do the random pick as tie-breaker.
- Elected HCL President shall conclude the AGM

## SECTION III - HCL OPERATION GUIDELINES

### **Article 1: COMPETITIONS**

- 1.1 The HCL shall organize regular cricket competitions, whose specific format and playing conditions shall be published with this Constitution and by additional clarifications as deemed necessary by the EC.
- 1.2 The EC will be responsible for considering written amendments to Tournament Structures, and submitting recommendations to member club Teams of the HCL for due consideration. EC shall schedule Annual HCL Team Captains meeting in which each shall vote on Tournament format and Playing Condition amendments.
- 1.3. The EC shall manage the competitions and clarify all interpretations. The decision of the EC will be binding.

### **Article 2: DISCIPLINE & CODE OF CONDUCT**

- 3.1 It shall be a disciplinary offence for any Officer, player or team, in the course of or in connection with a match or any other circumstances, to act in a manner likely to prejudice the good name of the HCL, and the individual and/or club committing the offence shall be liable to a penalty.
- 3.2 The HCL Code of Conduct shall be as follows:
  - The captains specifically and players generally are responsible at all times for ensuring that play is conducted within the spirit of the game as well as within the Laws, By-Laws & Special Rules.
  - Players and Team Officials shall not at any time engage in conduct unbecoming to a HCL Player or Team Official which could bring them or the HCL into disrepute.
  - Players and Team Officials must at all times accept the Umpire's decision. Players must not show dissent at the Umpire's decision.
  - Players and Team Officials shall not intimidate assault or attempt to intimidate or assault an Umpire, another Player or a Spectator.
  - Players and Team Officials shall not use crude or abusive language (known as "sledging") nor make offensive gestures.
- 3.3 Before any penalty is imposed there shall be a Disciplinary Committee Meeting. The Disciplinary Committee may request for a hearing of all concerned parties, depending on the offence. At least seven day notice shall be given in writing for the hearing along with details of the offence alleged shall be given to the player and/or club; in either

case through the team's official contact. The player or team shall be entitled to attend the hearing and to call witnesses.

- 3.4 Should an Officer, player or team act in violation of the HCL Code of Conduct, that act shall be considered a disciplinary offence and categorized into 4 levels:

**Level 1 offence:**

*An individual player or Club official engaging in Verbal Abuse or making offensive gesture towards another HCL player or generally acting in a manner unbecoming of an HCL member.*

**Penalties:**

- First time offences punishable through written HCL reprimand
- Any Subsequent offences will be punishable through probation, suspension, and/or fine.

**Level 2 offence:**

*An individual player or Club official engaging in Verbal Abuse or making offensive gesture towards a HCL appointed umpire OR A team Captain in violation of the timekeeping guidelines.*

**Penalties:**

- First time offences will be punishable by probation, minor suspension and/or fine.
- Any Subsequent offences will be punishable through major suspension and/or fine.

**Level 3 offence:**

*(a) An individual player or Club official engaging in Physical assault against another HCL player, official or any other visiting team player or official.*

**Penalties:**

- Major suspension (Multiple Games or Permanent Ban) and/or fine.
- Any subsequent offence punishable by major Suspension including playoffs and/or permanent expulsion from HCL membership.

*(b) More than 1 players or Club officials engaging in Verbal Abuse or making offensive gesture towards a HCL appointed umpire.*

**Penalties:**

- First time offences punishable by HCL written reprimand and probation for the member club and captain
- Any subsequent offence punishable by deduction of points, probation, suspension and/or fines for team, club and / or captain.

**Level 4 offence:**

*An individual player or Club official engaging in Physical assault against a HCL appointed umpire.*

**Penalties:**

- First time offences punishable by major suspension for the individual, automatic probation for the club, possible deduction of points and/or fines.

- Any subsequent offence punishable by suspension of the club, possible expulsion from HCL and/or fines.
- 3.5 Any disciplinary action taken by the Disciplinary Committee can be appealed. All such appeals will be addressed by the full EC. The Appeals Process is detailed below.
- 3.6 All rulings by disciplinary committee must be communicated only to the club presidents thru email

#### **Article 4: APPEALS**

- 4.1 The word “Appeal” shall include any dispute, disagreement, protest or any other incident during the game affecting the result of the game. Officers of the EC, led by the President or their delegate, will attempt to resolve any such issues in an efficient manner following their occurrence.
- 4.2 If satisfactory agreement cannot be reached, any team may formally appeal the result of the game to a full hearing of the EC. The appeal must be in writing (mail or email) and shall be accompanied by the \$100 fee, which must be in the form of a check or money order payable to Houston Cricket League. All documentation required for the appeal, including the score sheet, must be sent within 7 days of the game to the HCL Secretary who will notify the EC to convene an Appeals Meeting. Telephone calls and facsimiles are unacceptable means for transmittal of documentation for an appeal.
- 4.3 Scorebook discrepancies must be resolved by the Neutral Umpire in discussion with both team Captains, at the end or during the game. HCL shall accept the score sheet submitted by the Neutral Umpire as official and the EC shall entertain no protest or appeal in this matter.
- 4.4 A full refund of the appeal fee will be made in the case of a successful appeal
- 4.5 All appeals shall be resolved by HCL Appeals Committee within 14 days of the request of appeal.
- 4.6 All rulings by appeals committee must be communicated only to the club presidents thru email

#### **ARTICLE 5: LAWS OF THE GAME**

- 5.1 All Matches shall be played according to the latest Laws of Cricket, as published by International Cricket Council rules (<http://www.icc-cricket.com/about/38/rules-and-regulations>) except where varied by these By-laws and the HCL Tournament Playing Conditions.

- 5.2 Each tournament conducted by HCL shall post the Tournament Rules and Conditions on the HCL website.

#### **ARTICLE 6: SUMMER LEAGUE TOURNAMENTS**

- 6.1 This tournament shall be conducted in a competitive nature to promote HCL players to compete at the regional level and beyond.
- 6.2 This Tournament Rules and Conditions shall be amended only at the Annual HCL Team Captains meeting. Each team shall have one vote and amendments require 51% of the total registered teams.
- 6.3 All of the HCL EC members shall act as the Tournament Committee members.
- 6.4 Any amendments related to Team Promotions and Relegations shall be approved by the HCL Captains meeting before the Tournament start.

#### **ARTICLE 7: HCL OPEN TOURNAMENTS**

- 7.1 These tournaments shall be conducted to provide opportunity for new clubs to participate without HCL Club Membership.
- 7.2 HCL President shall appoint sub-committee to conduct such tournaments.
- 7.3 Tournament Committee shall publish the Rules and Conditions by HCL Constitution framework.