

Gisborne and District Cricket Association



By-Laws

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BY-LAW 1 – GOVERNANCE

- 1.1. The Association shall be governed by meetings of its club Delegates and by its Board of Management (and its sub-committees) who shall be duly elected by the delegates of each affiliated member club each year at the Annual General Meeting or any other meeting convened for the purpose.
- 1.2. The Board of Management shall control and manage the business affairs of the Association, and may, subject to the Constitution, the Regulations and the Act, exercise all powers and functions as may be exercised by the Association other than those powers and functions that are required by the Constitution to be exercised by General Meetings of the members of the Association.
- 1.3. The Board may recommend to a General Meeting of members, the drawing up of any necessary By-Law or By-Laws and on acceptance by a two thirds majority of the members present, all members shall abide by those By-Laws.
- 1.4. The Board of Management shall consist of a President, Vice-President, Secretary, Treasurer, Pennant Committee Coordinator, Senior Cricket Co-ordinator, Junior Cricket Co-ordinator and Girls Cricket Co-ordinator.
- 1.5. The President, Vice-President, Secretary and the Treasurer shall be the Executive members of the Board of Management.
- 1.6. All positions on the Board of Management shall be elected at the Annual General Meeting.
- 1.7. Members of the Board of Management are ineligible to be club delegates but may move, second and speak but not vote at any Delegates meetings.
- 1.8. The Board of Management may from time to time recommend to Member Clubs such new by-laws or such amendments to or repeal of the by-laws for the regulation of the affairs of the Association as it thinks fit, provided such by-laws shall not be repugnant to, nor inconsistent with, any expressed direction or regulation contained in the Constitution or any resolution of the Association passed in General Meeting and for the time being in force. All Member Clubs must be notified within 14 days of recommendations made by the Board.
- 1.9. The Board of Management shall have the right to add, remove or amend any Rule of Play so long as the changes are notified in writing to all affiliated clubs within seven days of the change occurring. Any changes relating to major decisions such as competition structure and composition are to be considered and a decision made by the Board after consultation with member clubs.
- 1.10. Board members must act at all times in the best interests of cricket in the Association as a whole.
- 1.11. If, in the event a member of the Board of Management absents him or herself for more than three (3) meetings without an acceptable apology, the Board of Management shall declare his/her position vacant. Such a vacancy shall be filled by appointment by the Board of Management.
- 1.12. The quorum for Board of Management and Executive meetings shall be one half of the members elected or appointed.
- 1.13. A member of the Board of Management may be dismissed from office by three quarters (3/4) majority of the clubs present at a Delegates meeting convened for the purpose after at least 14 days written notice is given to all member clubs stating the reasons for his/her dismissal. The member has the right to reply to these statements either in writing to all members of the Association or at the meeting verbally.

- 1.14 The Board of Management is to meet within 30 days of the AGM and at such other times and places as required to conduct the business of the Association.
- 1.15 The Executive committee shall meet on a regular basis throughout the year at such times and places as required to conduct the business of the Association.
- 1.16 An individual Club President may attend any meeting of the Board of Management to discuss any issues as long as the matter has been submitted in writing to the General Manager of the Association at least 7 days prior to the scheduled meeting.

BY-LAW 2 – DUTIES OF THE BOARD OF MANAGEMENT

- 2.1 The Board shall deliberate upon disputes or appeals regarding decisions or actions taken by the Board or its Committees or its Appointed Officers and consider any matter raised by any club in the manner described in By-Law 1.16.
- 2.2 Shall provide a summary of the Association's current finances and a summary of decisions made to all member clubs within 14 days of any Board of Management meeting.
- 2.3 Shall appoint chairpersons from their numbers to all sub-committees and confirm members to all sub-committees.
- 2.4 Appoint signatories to the Association Finance Accounts as regulated by the Constitution.
- 2.5 Appoint a Results Secretary, Registration Secretary, Senior Coach, Tribunal Chairman and Umpire's Advisor at the first Board of Management meeting after the AGM and shall determine any honorarium that may be paid for these positions.
- 2.6 Shall appoint as a Life-Member of the Association, any person who has rendered outstanding service to the Association. Such person so appointed is welcome to attend Annual General and General Meetings and voice their opinions but is not entitled to vote at these meetings.
- 2.7 Appoint the Captains of Inter-Association teams.

BY-LAW 3 – DUTIES OF BOARD OF MANAGEMENT MEMBERS (Office-Bearers)

- 3.1 **PRESIDENT**
 - 3.1.1 Shall act as the chairman at all Board of Management, Executive and Delegates meetings of the Association.
 - 3.1.2 Shall be the spokesperson of the Association.
 - 3.1.3 Coordinate the Board of Management and its Executive.
 - 3.1.4 The President shall have a vote, and in the case of an equality of votes, shall have a casting vote at all meetings of the Board of Management and its Executive committee and any meetings of Club Delegates.
- 3.2 **VICE-PRESIDENT**
 - 3.2.1 Shall substitute for the President in the event the President cannot be present.
 - 3.2.2 Shall oversee all junior related matters and shall report all activities back to the Board of Management or its Executive.
 - 3.2.3 Shall decide upon matters of an urgent nature relating to the junior competition after consultation with the Junior Coordinator and at least one other member of the Executive.
 - 3.2.4 Shall chair all Junior Management and Junior Coordinators meetings.

- 3.2.5 Shall have a vote at all such meetings and in the cases of a tied vote, shall have the casting vote on all matters pertaining to those meetings.
- 3.2.6 Shall also carry out other tasks of administration of the Association as requested by the Board of Management and/or its Executive.

3.3 **SECRETARY**

- 3.3.1 Shall manage the day to day running of the Association including all inward and outwards correspondence for the Association and take the appropriate action required for such after seeking approval from the President where appropriate.
- 3.3.2 Shall assist the President in coordinating the Board of Management and its Executive.
- 3.3.3 Schedule all Association meeting dates and call any extra Association meetings as required.
- 3.3.4 Prepare an agenda for all Board of Management, Executive and Delegates meetings.
- 3.3.5 Shall act as the minute secretary at all Board of Management, Executive, Junior Management, Junior Coordinators and Delegates meetings.
- 3.3.6 Shall record and write up the minutes of all such meetings and forward them to the member clubs of the Association within 14 days of the meeting.
- 3.3.7 Shall provide a summary of all decisions made at Board of Management meetings to the member clubs. This summary is to also include a summary of the Association's finances as supplied by the Treasurer.
- 3.3.8 Shall manage the Association's website including any required updates.
- 3.3.9 Shall manage the Association's email system and keep it up to date with each clubs' recipients.
- 3.3.10 Shall receive and collate Sullivan Medal player votes as voted by umpires and coordinate the Annual Presentation Night.
- 3.3.11 Shall fulfil any Press duties as determined by the Board of Management. These duties shall include the writing up of articles for the press and posting articles on the association's website.
- 3.3.12 Communicate to the Treasurer details of any club with results and scorecard data not entered on the online cricket management system by the allotted time so fines may be issued.
- 3.3.13 Write a season review at the end of each season to be published in the Annual Report.
- 3.3.14 Shall perform any other duties as requested by the President, the Board of Management or Executive committee.
- 3.3.15 Shall receive an honorarium as determined by the Board of Management prior to the Affiliation Meeting each year, payable at the discretion of the Board.

3.4 **TREASURER**

- 3.4.1. Shall report in writing and verbally to all Board of Management, Executive & Delegates meetings on the state of the Association's finance. This report shall include:
 - a. A statement of outstanding finances.
 - b. A statement of all revenue received & all accounts paid since the previous Board of Management, Executive or Delegates Meeting.
- 3.4.2 Shall present a list of all accounts for payments at Board of Management or Executive Meetings for approval before they are paid.
- 3.4.3 Shall provide a summary of the Association's finances as presented at each Board of Management meeting to the Secretary who shall forward it onto all clubs.
- 3.4.4 Shall send out monthly statements to any customers.
- 3.4.5 Shall present a budget for the forthcoming season to a Board of Management meeting held prior to the Affiliation meeting for approval.

- a. The budget, once approved by the Board of Management shall be sent to all member clubs at least 7 days prior to the Affiliation meeting.

3.4.6 The Treasurer shall carefully adhere to any financial guidelines as stated in the Constitution of the Association.

3.5 **PENNANT COMMITTEE COORDINATOR**

3.5.1 Shall chair meetings of the Pennant Committee.

3.5.2 Be responsible for constructing a timetable of senior and junior fixtures and where played.

3.5.3 Arrange for alternative grounds where a designated ground becomes unavailable.

3.5.4 Arrange suitable venues for all finals series matches.

3.5.5 Shall coordinate the Twenty20 competition.

3.5.6 Shall create and publish all junior, senior and Twenty20 fixtures on the online cricket management system and to keep such up to date with any changes that are made during the season.

3.5.7 Shall be the first point of contact for umpires and club members regarding the Association's local playing rules and the Laws of Cricket on match days.

3.5.8 Shall be permitted to interpret any such rule or law as required, so long as this interpretation is reported to Board of Management via the Secretary.

3.5.9 Shall be responsible for the determination of player permits.

3.5.10 Shall receive an honorarium as determined by the Executive prior to the Affiliation Meeting each year, payable at the discretion of the Executive.

3.6 **SENIOR CRICKET COORDINATOR**

3.6.1 Shall attend all Board of Management and Delegates meetings and any other meetings as required by the Board of Management and/or its Executive.

3.6.2 Shall perform any administrative tasks as required pertaining to the Association's senior representative squads/teams.

3.6.3 Shall oversee all senior cricket activities and assist the Senior Coach in organising senior inter association matches.

3.6.4 Shall organize all Country Week arrangements including uniforms, transport and Accommodation of the players and support crew.

3.6.5 Shall receive an honorarium as determined by the Board of Management prior to the Affiliation Meeting each year, payable at the discretion of the Board.

3.7 **JUNIOR CRICKET CO-ORDINATOR**

3.7.1 Is responsible to the Vice President and the Board of Management for the conduct of all Junior competitions.

3.7.2 Coordinates all inter-association selection trials and matches, including appointing suitable coaches/team managers for all inter-association teams, subject to approval by the Board of Management.

3.7.3 Be a member of the junior selection committee for all junior representative teams.

3.7.4 Shall receive an honorarium as determined by the Board of Management prior to the Affiliation Meeting each year, payable at the discretion of the Board.

3.8 **GIRLS CRICKET COORDINATOR**

3.8.1 Responsible to the Vice President and the Board of Management for the conduct of junior girls cricket competitions.

3.8.2 Organise and provide leadership for recruitment and registration events.

- 3.8.3 Assist GDCA clubs by providing advice and competition information.
- 3.8.4 Propose formats of matches and coordinate competitions including fixtures in conjunction with the Pennant Committee Chairman and Junior Cricket Coordinator.
- 3.8.5 Coordinates all inter-association selection trials and matches, including appointing suitable coaches/team managers for all inter-association teams, subject to approval by the Board of Management.
- 3.8.6 Shall receive an honorarium as determined by the Board of Management prior to the Affiliation Meeting each year, payable at the discretion of the Board.

The Board of Management in general meeting or the President in consultation with the Secretary or two other members of the Board of Management, may direct or change the duties of the office bearers (as stated above) if necessary, providing that any changes are noted in the minutes of the Board of Management meeting, it has been agreed upon and that all member clubs are informed of such changes in writing within 14 days of the occurrence.

BY-LAW 4 – DUTIES OF APPOINTED OFFICERS OF THE ASSOCIATION

4.1 RESULTS SECRETARY

- 4.1.1 Shall be an appointed position.
- 4.1.2 Shall receive all results sheets from senior grade matches.
- 4.1.3 Shall produce a ladder report for all senior and junior grades for each round and confirm/adjust all results and ladders if required on the online cricket management system.
- 4.1.4 Shall report to the Board of Management any issues that may arise with the keeping of these records.
- 4.1.5 Communicates to the Treasurer any breaches of the rules or any need to fine a club.
- 4.1.6 Shall attend Board of Management and Delegates meetings as required.
- 4.1.7 Shall be entitled to voice their opinion on any matter at these meetings but may not vote on any such matters.
- 4.1.8 May receive an honorarium as determined by the Board of Management prior to the Affiliation Meeting each year, payable at the discretion of the Board.

4.2 REGISTRATION SECRETARY

- 4.2.1 Shall be an appointed position.
- 4.2.2 Ensures details of all registered players are maintained on the Association's database.
- 4.2.3 Ensures the clearance processes as set down in the Association's rules are adhered to.
- 4.2.4 Shall report to the Board of Management any issues that may arise with the keeping of these records.
- 4.2.5 Communicates to the Treasurer any breaches of the rules or any need to fine a club.
- 4.2.6 Shall attend Board of Management and Delegates meetings as required.
- 4.2.7 Shall be entitled to voice their opinion on any matter at these meetings but may not vote on any such matters.
- 4.2.8 May receive an honorarium as determined by the Board of Management prior to the Affiliation Meeting each year, payable at the discretion of the Board.

4.3. UMPIRES ADVISOR

- 4.3.1 Shall be an appointed position.
- 4.3.2 Shall instruct all umpires in the laws of cricket and the local playing conditions.
- 4.3.3 Communicate to the Board of Management any problems in applying the rules and conditions.
- 4.3.4 Be a member of the Umpires Appointment Panel.
- 4.3.5 Communicate to umpires their performances from the captains' reports.

- 4.3.6 Attend Board of Management and Delegates meetings as required.
- 4.3.7 Shall be entitled to voice their opinion on any matter at these meetings but may not vote on any such matters.
- 4.3.8 Shall receive an honorarium as determined by the Executive prior to the Affiliation Meeting each year, payable at the discretion of the Executive.

4.4 SENIOR COACH

- 4.4.1 Shall be an appointed position.
- 4.4.2 Shall coordinate with the Senior Cricket Coordinator to ensure that all arrangements and selections are completed in a timely manner prior to Association Matches.
- 4.4.3 Shall be responsible for the organisation and running of training sessions throughout the cricket season.
- 4.4.4 Attend meetings of the Board of Management and Delegates as required and provide a written report at the end of the season on the teams' performances.
- 4.4.5 Assist in the final team selection as lead selector.
- 4.4.6 Attend and coach the team's Country Week games.
- 4.4.7 Attend and coach other representative games including KenMac Shield matches.
- 4.4.8 May receive an honorarium as determined by the Board of Management prior to the Affiliation Meeting each year, payable at the discretion of the Board.

4.5 TRIBUNAL CHAIRMAN

- 4.5.1 Shall be an appointed position.
- 4.5.2 Shall be responsible for the administration and coordination of the tribunal committee who shall conduct inquiries or investigate matters or hear reports referred to it by the Secretary and/or Board of Management.
- 4.5.3 Shall as soon as practicable, notify the Secretary of the Association of the outcome of any tribunal hearings including the details of any suspended person/s or bodies.
- 4.5.4 Shall report to the Board of Management any issues that may arise from hearings or the application of the By-Laws or Rules of the Association at such hearings.
- 4.5.5 May receive an honorarium as determined by the Board of Management prior to the Affiliation Meeting each year, payable at the discretion of the Board.

4.6 INVESTIGATIONS OFFICER

- 4.6.1 The Board shall appoint an Investigations Officer prior to the commencement of the season for a period of time and with such honorarium as the Board considers appropriate. The Investigations Officer shall not be a member of the Board.
- 4.6.2 The Board has the power to appoint a second or third Investigations Officer if the need arises.
- 4.6.3 Affiliated Clubs will be advised of the appointment of any Investigations Officer.
- 4.6.4 When a matter is referred by the Association Secretary to the Investigations Officer, the Association Secretary shall supply all relevant and available details regarding the incident. The Investigations Officer shall view any available video evidence. The Investigations Officer shall, so far as is practicable, interview all available witnesses (including players, umpires, officials or spectators) pertaining to the matter. The Investigations Officer shall conduct an investigation and with as much expedition as necessary to obtain so far as is practicable the relevant facts relating to the incident that the Investigations Officer has been appointed to investigate. The Investigations Officer shall conduct the interviews of witnesses in a manner

- conducive to and consistent with the obligation to obtain the relevant facts relating to the incident.
- 4.6.5 The Investigations Officer should investigate with an open mind and any doubt regarding the events being considered must go in favour of the investigated player, official or club.
- 4.6.6 Affiliated Clubs are required to make personnel (including players) available to the Investigations Officer on request. Such request is to be made by giving 48 hours' notice unless otherwise agreed.
- 4.6.7 Any Affiliated Club, official or player must make available any information or person/s upon request of the Investigations Officer, and must co-operate fully with any reasonable request of the Investigations Officer. Any Affiliated Club, official or player who does not comply with any reasonable request of the Investigations Officer or does not make information available upon request may be dealt with by the Board at its discretion.
- 4.6.8 After investigating any allegation, the Investigations Officer shall lodge with the Association Secretary all relevant documents and a notice in writing setting out the results of the investigation, including the Investigations Officer's opinion as to whether the player, official or Affiliated Club under investigation has prima facie breached the Laws of Cricket, the Association By-Laws, Playing Conditions, Codes of Behaviour or Policies and whether the matter should be dealt with by the Board, the Tribunal or by way of set penalty as prescribed in Rule 15 of the Rules and Playing Conditions.
- 4.6.9 Upon receipt of the Investigations Officer's Report, the Association Secretary may: (a) Refer the matter to the Board for hearing and determination (subject to 4.6.11); or (b) Lay a charge/s against the player and/or official of an Affiliated Club which shall be referred to the Tribunal unless the Association Secretary considers that a set penalty shall be offered to the player and the player accepts that set penalty.
- 4.6.10 In any matter referred to the Tribunal, the Association Secretary may appoint an appropriate person to act as a prosecutor before the Tribunal.
- 4.6.11 Where a Board Member makes a report under By-Law 4.6.1 that is investigated by the Investigations Officer, that Board Member shall not take part in any consideration, hearing or determination of the matter by the Board of Management.

BY-LAW B5 – ANNUAL GENERAL MEETING

- 5.1 The Annual Meeting of Delegates shall be held no later than the 31st of July in each year.
- 5.2 The Annual Meeting shall:
- 5.2.1 Receive a report on the preceding season's activities from the President, Secretary and the three Coordinators.
- 5.2.2 Receive an Audited Financial Report of the Association's finances.
- 5.2.3 Fix Affiliation Fees for the forthcoming season.
- a. Payment must be in the hands of the Treasurer on the first day of October or all points gained prior to payment will be forfeited.
- 5.3 Elect the members of the Board of Management.
- 5.4 Consider any applications by clubs for admission to the Association.
- 5.5 The delegates to the Association at the Annual General Meeting shall be the President or Secretary of each affiliated club or their approved proxies.
- 5.6 Each club has only one vote when any motion is put to the meeting.
- 5.7 All motions regarding special resolutions for the Annual General Meeting must be submitted in writing at least 21 days prior to the meeting unless it pertains to a matter otherwise covered in the constitution.

BY-LAW B6 – AFFILIATION MEETING

- 6.1 The Affiliation Meeting of Delegates shall be held in August each year. The purpose of the Affiliation Meeting is to:
 - 6.1.1 Receive team nominations for the coming season which must have been forwarded in writing to the Secretary of the Association at least 48 hours prior to this meeting.
 - 6.1.2 Adopt a budget for the forthcoming season.
 - 6.1.3 Fix Umpires fees for the forthcoming season.
 - 6.1.4 Confirm appointments recommended by the Board of Management.
- 6.2 The delegates to the Association at the Affiliation Meeting shall be the President or Secretary of each affiliated club or their approved proxies.
- 6.3 Each club has only one vote when any motion is put to the meeting.
- 6.4 All motions for the Affiliation Meeting must be submitted in writing at least 14 days prior to the meeting unless it pertains to a matter otherwise covered in the Constitution.
- 6.5 The quorum for the Affiliation Meeting shall consist of a majority of the clubs affiliated with the Association.

BY-LAW B7 – DELEGATES MEETINGS

- 7.1 The Secretary of the Association may call a Delegates Meeting on any matter deemed of importance or on receipt of a requisition signed by the Presidents from four separate clubs. At such a meeting, club Delegates may vote on any matter for which the meeting was convened.
- 7.2 The delegates to the Association shall be the President or Secretary of each affiliated club or their approved proxies.
- 7.3 Any delegate may move or second any motion, but each club has only one vote when the motion is put to the meeting.
- 7.4 The quorum at all Delegates meetings shall consist of a majority of the affiliated clubs with the Association.
- 7.5 Clubs not represented at any delegates meeting will incur a fine of \$100.

BY-LAW B8 – GOVERNANCE OF JUNIOR CRICKET (Junior Management Committee)

- 8.1 The Junior Management Committee will be responsible for all junior activities in the GDCA.
- 8.2 The management of the junior competition shall rest with:
 - a. The Vice-President who shall oversee all junior related issues and chair any Junior Management meetings and Club Junior Coordinators meetings.
 - b. The Junior Coordinator shall manage the junior competition including inter-association cricket after seeking approval from the Board of Management/Executive on all junior related matters.
 - c. At least 3 but no more than 5 other members appointed by the Board of Management from the member clubs after expressions of interest have been sought which must be submitted via email to the Secretary.
- 8.3 No member club may have more than one representative on this committee. If no members or an insufficient number of members can be appointed from the clubs, then the Board of Management shall assume control of the junior competition until such time as enough appropriate people can be sought to fill the committee.
- 8.4 The Committee will meet with all member clubs' Junior Coordinators at least three times during the cricket season to report on activities.

- 8.5 All changes to GDCA junior rules or by-laws shall be approved by the Board of Management and/or the club delegates in the manner prescribed in the GDCA Constitution.

BY-LAW B9 - COMMITTEES

- 9.1 All Committees shall be nominated by the Board of Management and be responsible to it.
- 9.2 The Chairman of each committee shall be a nominated member of the Board of Management.
- 9.3 No Club may be represented by more than one (1) nominated member on any committee.
- 9.4 Each committee shall have the power to co-opt.
- 9.5 Quorums for Fixture and Selection Committee Meetings shall be a majority of the nominated members.
- 9.6 All nominations to committees shall be confirmed by the Delegates.
- 9.7 The following committees shall be formed:-
- 9.7.1. PENNANT COMMITTEE**
- a. Shall be a body consisting of the Pennant Committee Coordinator (as Chairman), and at least four members appointed by the Board of Management.
- (i) The Chairman shall have a casting as well as a deliberative vote.
- (ii) In the absence of the Chairman from any meeting, a Chairman shall be elected from the members present. In case of an equality of votes, the Acting Chairman shall have a casting vote as well as a deliberative vote.
- (iii) Three members of the Pennant Committee shall form a quorum at any meeting thereof.
- (iv) The Pennant Committee shall meet at such times and places as it may determine or as directed by the Board of Management.
- b. Shall be responsible for the allocation of teams to grades for senior and junior competitions and shall arrange all senior and junior home and away season and finals matches.
- c. Shall act on behalf of the Association to enquire into, adjudicate and act upon, all matters arising out of or in connection with the competition of the Association.
- 9.7.2. SENIOR SELECTION COMMITTEE**
- a. Shall be a body consisting of at least three persons. The Senior Cricket Coordinator shall be a member of this committee.
- b. The duty of the Selection Committee shall be to select all senior teams to represent the Association.
- 9.7.3. JUNIOR SELECTION COMMITTEE**
- a. Shall be a body or bodies consisting of at least three people for each junior age team. The Junior Cricket Coordinator shall be a member of this committee.
- b. The duty of the Selection Committee shall be to select all junior teams to represent the Association.
- 9.7.4. UMPIRES APPOINTMENT PANEL**
- a. Shall be a body consisting of a member of the Board of Management as chairman, the Umpires Advisor, and an experienced club official appointed by the Board of Management after expressions of interest have been sought from clubs.
- b. If no such person can be sought from a member club, then a second member from the Board of Management shall be appointed to the panel.

- c. The panel shall decide which matches shall have umpires and the umpires that will be appointed to each club and inter-Association match.

BY-LAW B10 – FINES & PENALTIES

- 10.1. The Association, through the Board of Management and/or its Executive, shall have the right to impose fines or penalties on any Affiliated Club, officer or player.
- 10.2. Any Club or member that presents a financial payment to the Association that is dishonoured in any way shall incur a fine of \$100.
- 10.3. Each Club is required to be fully financial as of 31st of December in each year. To be deemed to be fully financial, each Club must have paid to the Association all outstanding affiliation accounts as levied by the Association to the Club prior to that date. Clubs that are not fully financial by the 31st of December in each year will automatically lose all premiership points per playing week in each Grade in which the Club is represented commencing on the first playing day after 31st of December and continuing during the period that the Club is deemed to be un-financial.
- 10.4. All accounts must be paid within 30 days of receipt of the invoice. Failure of any Club to comply with this By-Law shall render it liable to a fine, suspension, loss of premiership points, or expulsion as the Board of Management sees fit.

BY-LAW B 11 - APPEALS

- 11.1. All clubs shall have the right to appeal to the Board of Management against the decisions of any of the above Committees of the Association with the exception of the Selection Committee providing such appeal is lodged in writing and in the hands of the Secretary of the Association within seven (7) days of notification of such decisions and be accompanied by a cheque of \$250 non-refundable deposit if the appeal is not successful or considered frivolous. Such appeal shall be considered as soon as possible by the Board of Management whose decision shall be final and binding.
- 11.2. When an appeal is open for discussion, any member of the Board of Management who is a member of a club concerned shall be ineligible to sit on such an appeal. If there are not at least three members of the Board of Management who do not have any direct or indirect affiliations with any club that may be affected by the outcome of any such appeal, then the matter must be heard by a meeting of the independent tribunal created for the sole purpose of hearing the matter.
- 11.3. The following procedure shall be observed by a committee hearing any such appeal or dispute:-
 - a. Each person/club involved in the appeal shall be entitled to present and hear all evidence relating to the matter.
 - b. Each person/club involved shall be entitled to question the committee and any other parties presenting any evidence related to the appeal.
 - c. Upon hearing all evidence, the committee shall then deliberate on the outcome of the appeal and then deliver the verdict to all parties attending.
 - d. If deemed necessary by the committee, a verdict may be postponed so further information not available at the hearing can be obtained. Such a postponement must be finalised with 48 hours.

BY-LAW B12 – TRIBUNAL PANEL

- 12.1. The Board of Management shall call for expressions of interest and appoint members of the Tribunal panel each season. Any Tribunal member that resigns before the end of the GDCA season shall be replaced as soon as possible.

- 12.2 The incoming Board of Management of the Association shall elect a Tribunal Chairman. The Chairman shall be responsible for the administration of the panel and the conduct of all inquiries on behalf of the Executive of the GDCA.
- 12.3 The Tribunal Panel is empowered to act on behalf of the Association to enquire into, adjudicate and act upon, all disputes involving members and all breaches of the By-Laws, Rules, Code of Conduct, including all matters reported to it by Umpires officiating at matches, and all matters arising out of or in connection with the competition of the Association. The Tribunal shall have the power to act in its absolute discretion on behalf of the Board of Management.
- 12.4 The Tribunal Panel may, at its discretion, request or use any video recordings of incidents relating to disputes involving members and all breaches of the By-Laws, Rules, Code of Conduct, including all matters reported to it by Umpires officiating at matches, and all matters arising out of or in connection with the competition of the Association.
- 12.5 Any club referring a dispute to the Tribunal shall:-
- 12.5.1 In the event of a matter arising out of the conduct of a match, by the following Monday after the completion of the match in which the cause of the dispute has occurred; or
- 12.5.2 In any other event, as soon as possible, forward a statement in writing of the matter in dispute to the Secretary of the Association, together with a fee of \$250 (to be returned if such appeal considered not to be frivolous), and shall also within the same time forward a copy of such statement to the Secretary of the other affected club. No matter shall be considered by the Tribunal unless this process has been followed.
- 12.6 The Secretary of the Association upon receipt of the notice of dispute shall as soon as possible inform the Tribunal Chairman who will appoint a hearing chairman and two adjudicators who shall, after hearing all relevant evidence, decide thereon with a majority decision ruling. The appointment of the three sitting members of the Panel shall be at the discretion of the Tribunal Chairman and can include the Tribunal Chairman as a sitting member. If there is any allegation of bias from any party on the make-up of the Panel, the Tribunal Chairman shall have the final decision based on the concepts of natural justice. In the event of a member of the Panel being a representative from either of the disputant clubs, he shall cease to act on the Panel for that hearing.

BY-LAW B13 – TRIBUNAL HEARINGS

- 13.1 The Tribunal shall meet at a time suitable following completion of the round in which a player and/or Club was reported, to enquire into and determine such report. If the Clubs concerned have given permission, then a Tribunal hearing can be held over the telephone.
- 13.2 The Club Secretary of the player and/or Club reported shall be notified by the Tribunal Chairman of the time and place for the holding of the hearing of the Tribunal and such player and/or an official of the reported club shall be required to attend and give evidence at such hearing if called upon.
- 13.3 The Panel may proceed with the hearing of a report against a player and/or Club whether or not such player and/or an official of the reported Club, is present at the hearing, providing that if the player and/or Club reported submits to the Panel prior to the hearing, in writing, a reason for his/her and/or the reported Club's absence together with a summary of the incident(s) referred to in the report, the panel may at its absolute discretion proceed, postpone or reconvene the hearing as it sees fit. Should the reported player and/or Club be unable to attend the designated hearing due to unforeseen circumstances, the Club Secretary shall notify the GDCA Secretary no less than 24 hours before the time of the proposed hearing.

- 13.4 All matters where a Tribunal sits (as opposed to telephone decisions) shall be tape recorded. The GDCA is to provide a tape recorder, allied equipment and tapes. The Tribunal Chairman shall be the custodian of the equipment and tapes.
- 13.5 An umpire reporting a player and/or Club shall be notified by the Secretary of the time and place for the hearing of the Panel and shall attend at such hearing and give evidence if required.
- 13.6 The Panel may allow such other person or persons to appear before it to give evidence as is deemed by the Panel to be necessary or warranted.
- 13.7 Subject to these rules, the Panel may by resolution:-
- 13.7.1 Expel a player from the Association; or
 - 13.7.2 Suspend a player from membership of the Association for a specified period; or
 - 13.7.3 Fine a player and/or Club in accordance with the regulations, if the committee is of the opinion that the player and/or Club has:
 - i. Refused or neglected to comply with these rules; or
 - ii. Been guilty of conduct unbecoming a player or prejudicial to the interest of the Association.
- 13.8 The Tribunal shall conduct its hearings as a search for the truth, rather than a court adhering to rules of evidence, and cross-examination. To this end, no legally qualified person is permitted to appear on behalf of any person at such hearings.
- 13.9 No serving member of the Executive of the Association is permitted to appear on behalf of any person at a Tribunal hearing.
- 13.10 All matters adjudicated on by the Panel (including telephone hearings) are to be recorded in hard copy. Such recording will include the following:-
- a. Date and place of hearing;
 - b. Tribunal Panel members (including a designated Chairman);
 - c. All other persons present;
 - d. A brief summary of the circumstances;
 - e. A full finding including any sanctions imposed.
- 13.11 Tribunal hearing – order of proceedings. This order of proceedings is indicative only. The Tribunal may decide to modify the order to suit the circumstances of the hearing, provided that natural justice principles are preserved. Tribunals are not bound by the rules of evidence nor are they courts of Law, they but should endeavour to ensure that all relevant evidence is heard and that all irrelevant evidence is not acted upon.
- 1. Assembly of all parties including Tribunal panel members, umpires and players and their advocates, any witnesses and person(s) to give evidence.
 - 2. Opening address by Chairman, including the announcement of the charges and the procedure to be followed. The Chairman of the Tribunal shall state expectations of integrity/truth of evidence and ask if any witnesses are to be called by either party. After recording the witness' names, witnesses are asked to leave the room.
 - 3. The Umpire/Investigation Officer's written report is read by the Tribunal Chairman who shall be in possession of the report and any other relevant correspondence.
 - 4. The charged player is asked how he pleads.
 - 5. The Tribunal will first hear the Umpires/Investigators case against the player. The Umpire/Investigators advocate may question the Umpire and any witnesses.
 - 6. The player's advocate may then question the Umpire/Investigating Officer

7. The player will then be asked to present their defence and may be questioned by his advocate and the Umpires advocate.
 8. The charged player may then call his witnesses. Once a witness is called to give evidence, he must remain in the room until the case is finished. Each witness is asked to give his version of the incident and may be questioned by the advocates as desired.
 9. The Chairman of the Tribunal and other members of the Tribunal may ask questions of any person as they desire at any time throughout the hearing
 10. After all the evidence is given, both advocates are given the opportunity of summing up their cases. When the Tribunal is satisfied that it has all the evidence it needs to enable it to come to a decision, the Chairman of the Tribunal will ask each party if they are satisfied that the Tribunal has been conducted in accordance with the Association rules, and that they have been given a fair and reasonable opportunity to present their case.
 11. All persons, except the tribunal members, shall leave the room and the Tribunal will adjourn to consider the case and record a finding based on what it believes to be the facts.
 12. Once the Tribunal has reached its finding (guilty or not guilty), all parties to the hearing re-assemble and the Chairman announces the finding. If the player is found guilty, his advocate is given the opportunity to make a submission on the question of sanction. Character references may be heard at this stage.
 13. All persons, except the tribunal members, shall again leave the room and the Tribunal will review the player's tribunal record and make a finding on the penalty.
 14. Once the Tribunal has reached a decision on the penalty, the parties are re-assembled and the Chairman will read out the penalty.
 15. All persons, except the tribunal members, shall leave the room immediately after the penalty is read out.
- 13.12 The Tribunal Chairman shall forward a written report of the result and any sanctions invoked to the Secretary of the GDCA and the clubs involved within 3 days of the hearing.
- 13.13 The designated Tribunal Chairman shall be responsible for the upkeep of the record of decisions. The hard copy decisions are to be provided to the Chairman of any sitting Panel to enable informed decisions to be made with precedents taken into account.

BY-LAW B 14 -TRIBUNAL APPEALS

- 14.1 Any player, club or club official has the right of appeal against any decision of the Tribunal. Any appeal must be in writing to the Secretary of the Association within 7 days of notification in writing of the original hearing decision and be accompanied by a cheque of \$250 non-refundable deposit if the appeal is not successful. Any such appeal must be through the designated Tribunal Chairman who will solely decide if the matter warrants re-hearing if significant and meaningful new evidence is presented. This decision shall not be made by the chair of the original sitting Panel. If the designated Tribunal Chairman was involved in the original hearing or is currently or formerly a representative from the club subject of an inquiry or a club that may receive a benefit from a decision, the Tribunal Chairman shall not act in any capacity in the matter. The decision on whether to re-hear shall be passed to a non-involved member of the Tribunal Panel. If the decision is made to re-hear the matter, then a completely new Panel shall be panelled and the matter re-heard. The available options for any re-hearing are – confirmation of original finding and sentence; dismissal of charge; variance either by decrease or increase in sanction.
- 14.2 The GDCA appeal process is final, absolute and binding. No matter that has been through the GDCA Tribunal process or subsequent GDCA appeal process shall have recourse to the Victorian Country Cricket League or other body for further appeal or decision.

BY-LAW B15 – RACIAL & RELIGIOUS VILIFICATION POLICY

- 15.1 The Annual General Meeting of the Association shall elect a Complaints Officer. The Association will be guided by AFL Rule 30 as dated 1st August, 2000.
- 15.2 Racial Harassment includes harassment based on colour, descent, national or ethnic origin, cultural activity and sometimes religion.
- 15.3 Examples of Racial Harassment include:-
- 15.3.1 Jokes in which race is a significant characteristic of the “butt” of the joke;
 - 15.3.2 Hostile comments about food eaten, dress or religious or cultural practices;
 - 15.3.3 Inferences that all members of a racial or cultural group have negative characteristics, such as laziness, drunkenness, greed or sexual promiscuity.
 - 15.3.4 Parodying accents.

BY-LAW B16 – INJURY POLICY

- 16.1 Where a player or umpire involved in a GDCA controlled match suffers an injury causing bleeding, that person shall immediately retire from the game until such time as First Aid has been administered to prevent further bleeding. The injured person shall not resume playing unless and until the bleeding has ceased.
- 16.2 An injured batsman who has temporarily retired, and is unable to return after the fall of the ninth wicket, shall be recorded in the scorebooks as “retired hurt” and the innings shall be deemed closed.
- 16.3 Where an injury occurs to a batsman involved in a tenth wicket partnership, a maximum of five minutes will be allowed in order for the batsman to obtain treatment. If the injury occurs within 30 minutes of the scheduled tea break, the interval shall be taken immediately, if the batsman is unable to resume after the five minutes. If the batsman is unable to resume after the five minutes or the early interval, he shall be recorded in the scorebooks as “retired hurt”.
- 16.4 Where an injury occurs to an umpire, and he must leave the field for treatment, the other umpire (if one appointed) shall officiate at both ends. If only one umpire has been appointed the batting club shall provide a competent person to umpire until the official umpire returns from injury.

BY-LAW B 17 – MEMBER PROTECTION POLICY

The GDCA adopts the VCCL Members Protection Policy constructed and published under the auspices of Cricket Victoria. The full text of the Members Protection Policy can be viewed at the following internet address: <http://www.gdca.au>

In accordance with the By-Laws, the GDCA is required to adopt the following Codes of Behaviour:-

BY-LAW B18 – GENERAL CODE OF BEHAVIOUR

As a person required to comply with this By-law, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by a Community Cricket Peak Body, a Region, an Affiliated Association or an Affiliated Club:-

1. Respect the rights, dignity and worth of others.
2. Be fair, considerate and honest in all dealings with others.
3. Be professional in, and accept responsibility for your actions.
4. Make a commitment to providing quality service.
5. Operate within the rules of the sport including state guidelines which govern, the VCCL, Community Cricket Peak Bodies, the Regions and Affiliated Associations and Clubs.

6. Do not use your involvement with a Community Cricket Peak Body, a Region or Affiliated Club and Association to promote your own beliefs, behaviours or practices where these are inconsistent with those of Community Cricket Peak Bodies, Regions and Affiliated Associations and Clubs.
7. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.
8. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
9. Refrain from any behaviour that may bring the sport of cricket, a Community Cricket Peak Body, a Region or Affiliated Club and Association into disrepute.
10. Provide a safe environment for the conduct of the activity.
11. Show concern and caution towards others who may be sick or injured.
12. Be a positive role model.
13. Understand the repercussions if you breach, or are aware of any breaches of this Code of Behaviour.
14. Act at all times to protect and promote the sport of cricket in accordance with the Spirit of Cricket.

BY-LAW B19 – SENIOR PLAYER CODE OF BEHAVIOUR

In addition to the General Code of Behaviour set out in these By-laws, as a player in any activity held by or under the auspices of a Community Cricket Peak Body, a Region or an Affiliated Club and Association you must meet the following requirements regarding conduct during any such activity or event:

1. Play by the rules and abide by the Spirit of Cricket.
2. Never argue with an umpire. If you disagree, have your captain, coach or manager approach the umpire during a break or after the game.
3. Control your temper. Verbal abuse of officials and sledging other players, deliberately distracting or provoking an opponent are not acceptable or permitted behaviours in Cricket.
4. Work equally hard for yourself and your teammates. Your team's performance will benefit and so will you.
5. Be a good sport. Applaud all good plays whether they are made by your team or the opposition.
6. Treat all participants in Cricket as you like to be treated. Do not bully or take unfair advantage of another competitor.
7. Cooperate with your coach, teammates and opponents. Without them there would be no competition.
8. Respect the rights, dignity and worth of fellow players, coaches, officials and spectators.
9. Refrain from conduct which could be regarded as sexual or other harassment.
10. Respect the talent, potential and development of fellow players and competitors.
11. Care and respect the uniform and equipment provided to you.
12. Be frank and honest with your coach concerning illness and injury and your ability to train and play fully.
13. Conduct yourself in a responsible manner relating to language, temper and punctuality.
14. Maintain a high standard of personal behaviour at all times.
15. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team.
16. Cooperate with coaches and staff in relation to programs that adequately prepare you for competition.
17. Do not engage in practices that affect sporting performance (alcohol, tobacco and drug use.)

BY-LAW B20 – WORKING WITH CHILDREN CHECK POLICY

The Working With Children Check ("WWCC") is a mandatory minimum background check of people who work or volunteer in child-related work. It applies to people who have **regular direct contact with children where that contact is not directly supervised**. The WWCC 'helps to protect children aged under 18 years from physical and sexual harm by preventing those who pose a risk to their safety from working with them'. The policy outlines roles where people are required to apply.

The following information relates to the WWCC that was phased in for all cricket clubs and associations from 1 July 2008. Penalties and restrictions apply as from 1 July 2009 if these procedures have not been followed.

The GDCA as a minimum standard for Clubs and Associations hereby adopt WWCC checks as to ensure the sport is doing everything possible to prevent child related offences. Under the Act, a person involved in cricket is considered to be engaging in child related work and must apply for the WWCC if they:

1. Work or volunteer in a role that brings them into contact with children under 18; and
2. Volunteer or do this work on a regular basis; and
3. Have direct contact with children under 18 which is not directly supervised; and 4. Do not qualify for one of the exemptions in the legislation (subject to Cricket Victoria's policies).

EXEMPTIONS:

The following are exemptions from the legislation and it will recognise that Clubs and Associations shall not require the following individuals to apply for the WWCC (subject to appropriate proof being sighted):

- persons aged under 18;
- sworn Members of Victoria Police;
- teachers registered with the Victorian Institute of Teaching; (still required to sight the VIT registration and confirm online at www.vit.vic.edu.au)

It is recommended that where exemptions apply, the Nominated Person records this to ensure up-to-date records are maintained. Under the legislation, parents do not have to apply for a WWCC if their child is involved in the relevant activity. However, GDCA Board does not endorse this exemption and it expressly requires that all parents that meet the criteria set out above apply for, and obtain, a WWCC.

CLUBS:

GDCA Clubs as a minimum requirement, should have the following people obtained a WWCC:

- Junior Coordinator;
- Cricket Blast Coordinator;
- Team Coach and/or Manager of a team;
- Other members of the junior club who are involved in regular contact with children that are not directly supervised by a person who has completed a WWCC (physical contact e.g. coaching and /or electronic contact).

In the case where junior players are playing in a senior team, the minimum requirements for Clubs in this instance is as follows:

- Senior Coach;
- Secretary;
- Captains of teams;
- Other members of the senior club who are involved in regular contact with children that are not directly supervised by a person who has completed a WWCC (physical contact e.g. Coaching and /or electronic contact)

In all instances above, it is recommended that there is a central point of reference at the Club ("Nominated Person") for recording and sightings of the WWCC. In the majority of instances this will be the Club Secretary. An example record keeping form is available from <http://www.sport.vic.gov.au>

ASSOCIATIONS:

Cricket Victoria expects that Associations will, as a minimum requirement, have the following people obtained a WWCC:

- Association representative team Coaches and/or Managers that have players U18 participating;
- Other members of the Association who are involved in regular contact with children that are not directly supervised by a person who has completed a WWCC (physical contact e.g. Coaching and /or electronic contact);

Associations should also maintain a register, provided by each Club, of the people within the Association who have been approved under the legislation. It would not be necessary for the Association to sight actual check documents.

Process to follow if Coach receives an interim negative notice:

According to the legislation, a person who receives an interim negative notice or is waiting for their application to be processed can still perform child related work until such time as a decision on their application is made. However, a Club or Association should have an internal process to follow if this situation arises. The following should apply if indeed this occurs:

Until such time as a decision is made, the Club / Association should ensure that the coach who has received an interim negative notice (or is waiting for their application to clear) is directly supervised by someone who holds a WWCC. This should continue until a decision on the Coach is made via the Department of Justice (e.g. they receive a WWCC).

It is extremely important to maintain confidentiality and discretion when approaching this situation.

Meeting with the Coach to explain that they will be supervised during this interim period is recommended as the Coach can challenge the interim negative notice received from the Department of Justice.

If the person in question and Club agree, the person can be moved outside of their role with children (e.g. to a senior coaching role where no children are involved). However this must be agreed to as the legislation stipulates that an organisation cannot refuse to allow a person to continue in their role if no final decision has been made by the Department of Justice.

If a final decision is made and the person does not pass the WWCC, then the person in question "...cannot apply for, or engage in child related work, regardless of whether that work is directly supervised by another person." This person is unable to apply for a WWCC for five years after the date of final decision.

Summary:

The WWCC is one strategy a Club, Association or organisation will employ to best minimise the chance of child related offences occurring. The WWCC is designed to help keep children safe and it co-exist with other measures such as a Coach "Code of Conduct" and a clear policy on "drop off and collection by parents" at matches or training.

For information regarding the process of obtaining a WWCC, please visit the Department of Justice website at www.justice.vic.gov.au/workingwithchildren or your nearest Australia Post outlets – bulk lodgements are available for your Club from Australia Post.

Please also note that a change of details form is available from the above website – this is particularly relevant if a new coach with an existing WWCC comes on board at the Club and has not included the Club's details in their original application.

The above requirements, to comply with the WWC legislation, are in addition to all existing Cricket Victoria and affiliated member policies such as Code of Behaviour and Member Protection Policies.

BY-LAW B21 – SOCIAL MEDIA USE POLICY

The Gisborne and District Cricket Association (GDCA) recognises that social media is an important part of the way members communicate. The GDCA actively encourages members to participate in social media and share their experiences in cricket. The GDCA also recognises the importance of the internet to improve and increase the flow of information shaping public thinking about cricket, our clubs, umpires and sponsors. Accordingly, the GDCA will look to continue to develop and maintain its own online social media presence through which it hopes to deliver content to clubs and the public to develop and increase opportunities in cricket at all levels across the association.

However, the GDCA's public reputation is valuable and so are the reputations of GDCA clubs, sponsors and umpires. Therefore, the GDCA prohibits any communication on social media that is defamatory and obscene towards other players, umpires and sponsors, and/or misrepresentative the GDCA.

Social media is a broad and changing concept. It generally refers to interactive electronic forums or online media where people are communicating, posting participating, sharing, networking or bookmarking. For the purposes of these guidelines, social media extends to:

- electronically communicated material, whether written, photographic, video, or audio, which is accessible by more than the member alone;
- Facebook, YouTube, Twitter, MySpace, LinkedIn, Wikipedia, Flickr, Snapchat and related domains;
- Blogs; social networking sites; instant messaging; social bookmarking, media sharing and collaborative editing websites;
- Any other forum which might reasonably be classified as social media as that term is generally understood; and
- Any other forum for public comment

Prohibitions

- Abuse others or expose others to content that is offensive, inappropriate or for an illegal purpose;
- Impersonate or falsely represent the GDCA, umpires, member clubs of the GDCA or individual members of GDCA clubs;
- Abuse, harass or threaten the GDCA, umpires, member clubs of the GDCA or individual members of GDCA clubs;
- Make defamatory or libelous comments;
- Use obscene, offensive, insulting, provocative or hateful language;
- Intrude upon the privacy of other members of the GDCA without the consent of such members;
- Comment in a way that may be construed as harming the reputation of him or herself, another member, or the GDCA, including its board, umpires and sponsors;

And related to GDCA social media platforms only:

- Make excessive postings on a particular issue or post multiple versions of the same opinion or information on social media platforms operated by the GDCA;
- Promote commercial interests in social media platforms operated by the GDCA; or
- Without authority, post internet addresses, links to websites, email addresses or other personal information on social media platforms operated by the GDCA.

Consequences

Minor transgressions of these guidelines by participants in the Association's social media presence will be given a warning, and following a subsequent transgression, removal from the social media site (where possible). Subsequent transgressions would see the person or persons brought before the GDCA Tribunal for bringing the game and/or the Association into disrepute, and following this, may be subject to fines, suspensions and bans.

Major transgressions of these guidelines by participants in the Association's social media presence will be required to face the GDCA Tribunal for bringing the game and/or the Association into disrepute.