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**VICTORIAN CYCLING
INCORPORATED
BY-LAWS**

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Victorian Cycling Incorporated - By-Laws

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101 CLASSIFICATION OF MEMBERS

101.1 The respective age classifications of competitors shall be as listed in the following table, based upon the commencement of the calendar year of their birthday, unless otherwise specified.

| Category | Age (years) |
|------------------------|---|
| Elite Men/Women | 23 |
| U23 male/female | 22 |
| Junior U19 male/female | 17 |
| Junior U17 male/female | 15 |
| Junior U15 male/female | 13 |
| Junior U13 male/female | 11 |
| Junior U11 male/female | Up to the completion of the calendar year in which he/she reaches 10. |

Veteran:

| | |
|------------|-------------|
| Division 1 | 35 - 39 |
| Division 2 | 40 - 44 |
| Division 3 | 45 - 49 |
| Division 4 | 50 - 54 |
| Division 5 | 55 - 59 |
| Division 6 | 60 - 64 |
| Division 7 | 65 and over |

101.2 Members reaching their 35th year may remain in their existing classification if they desire.

101.3 When any member changes to a veteran, the member shall remain in that category.

101.4 Veteran members may not compete with any other classification, club and club combined race excepted. However, the Association may allow veterans to compete in open events where no veteran division race is being conducted.

101.5 A M19 may compete with the M23, provided such events are sanctioned by the Association. A M19 must not compete in road events longer than 120 kms.

101.5.1 A W19 may compete in W23 category events provided such events are sanctioned by the Association.

101.6 Once a member has competed in a higher classification the member shall not be eligible to compete in events of their former classification, except in the case of an event cancellation, or special events as sanctioned by the Board of Management

101.7 When a postponement of an event causes a rider to enter a higher classification, then the rider shall be able to compete in that event provided:

101.7.1 The postponement does not exceed 14 days;

101.7.2 The rider has not competed in a higher classification during the period of the postponement.

102 OFFICIALS - DEFINITION

The following persons shall be deemed to be officials:

102.1 Officers and Board members;

102.2 Handicapper, Assistant Handicappers;

102.3 State Team Manager;

102.4 UCI, National and State Commissaires when performing their allotted duties at a meeting.

102.5 Other members appointed by the Association or a Club to assist in the conduct of an event.

103 STATE TEAM OFFICIALS

103.1 The team shall consist of the Team Manager, Team Coach, ACF Delegate and assistants that may be recommended to accompany the State Team.

103.2 Responsibilities

103.2.1 **Manager:** Shall assume responsibility of team behaviour, medical and parental consent forms, communications, team clothing and liaise with the responsible officer on travel, accommodation arrangements, and spending of any monies on behalf of the team. A written report,

covering all activities, team performance and an account of monies disbursed shall be lodged with the Board within 21 days of the team's return. (A policy statement covering the Managers and the Coaches responsibilities will be issued to all Managers and Coaches).

103.2.2 Coach: Shall be responsible for the co-ordination of team coaching prior to and following the selection of riders chosen to represent the Association. The coach shall ensure that the riders have sufficient equipment for the events in which they have been chosen to compete. The coach shall report to the Manager and assist in the general welfare of the team. A written report to the Board shall be lodged 21 days of the team's return.

103.2.3 Assistants: In the case where an Assistant Manager or Coach is appointed, this person will be under the direction of the Manager.

103.2.4 ACF Delegates: The Delegates shall attend all sessions of the ACF Council Meetings, assist where possible in the general welfare of the team, and report to the Manager. They shall give a verbal report to the Board of Management on their return from the Championships.

103.3 The Manager, Coach and Chairman of Selectors will review the team selections and the events prior to the departure of the team.

103.4 Only the ACF delegates may accept a position as an Official for the Australian Championships.

104 RACING OFFICIALS - QUALIFICATION

104.1 Chief Commissaire. A person who is appointed to the position of Chief Commissaire should have at least two years experience as an official and possess a Commissaire's card.

104.2 Race Commissaire. A person who is appointed a Race Commissaire should have at least one years experience as an official and possess a Commissaire's card.

105 LIFE MEMBERSHIP

105.1 Any nomination for Life membership must reach the State Administrator 45 days prior to the Annual General Meeting for consideration by the

Board. A resume of the nominee's cycling activity should accompany the nomination.

105.2 A nominee must have rendered distinguished service to the Association for a minimum of ten years, or given outstanding service to cycling in Victoria for at least twenty years.

105.3 When a nomination is made in the name of an affiliated club, such nomination shall be the result of a resolution taken at a properly convened meeting and must be signed by two elected officers of that club.

105.4 In all cases, the nomination must be signed by at least two financial members.

106 AFFILIATED ORGANISATIONS

106.1 An organisation that represents a cycling discipline or activity, or is sporting in nature and structure may be granted affiliation by the Association.

106.2 Following receipt of an application, the Board shall cause to distribute a notice of the applications to all clubs within the region that the application will fall. A period of not less than three months consideration of the application will ensue. The Board will make the ultimate decision to affiliate the organisation or reject the affiliation application.

106.3 An affiliated organisation shall retain its autonomy over its functions and members, providing there is not a conflict of interest with the Association.

106.4 An Affiliate may appoint two delegates to attend Regional Council Meetings and may express its views on any matters and its sport in particular.

107.1 RACING APPEAL TRIBUNAL

107.1 The Racing Appeal Tribunal shall consist of five members appointed by the Board of Management. The Tribunal shall elect its Chairperson.

107.2 Members of the Tribunal should be qualified at least to State Commissaire standard and have had two years experience associated with competitive cycling.

107.3 The Tribunal shall hear and adjudicate on an appeal by a member or Club against a decision of

A Club or a tribunal set up by a Club;
A Chief Commissaire when a race Jury has not be in attendance.

Providing that any penalty or charge imposed by the official has been in direct consequence of an infringement of the Technical Regulations.

All hearings are to be taped and the tapes kept for three months.

107.4 The Tribunal may regulate its proceedings and conduct its investigations as it thinks fit and proper. It may uphold or dismiss an appeal, impose additional penalties or reduce the original penalty.

107.5 An appellant may appear personally before the Tribunal and/or be represented by a financial member of a Club. An appellant may within 90 days of the decision being handed down by the Tribunal, appeal the decision as set out in the constitution clause 24.

107.6 Any expenses incurred by the Tribunal in conducting the appeal may, at the Tribunal's discretion be directed to be paid by the appellant, when the appeal is lost. Costs will be announced on the notice convening the Tribunal.

107.7 The chairperson shall have a casting vote only.

107.8 Four Tribunal members shall form a quorum.

108 SELECTION COMMITTEE

108.1 The Selection Committee shall consist of three members appointed by the Board of Management. The Committee shall elect its own chairperson.

108.2 The Committee shall select riders to compete in National and State Championships, and in such other events that are conducted for the purpose of selecting Association representatives. Further, the Committee shall select riders for sponsored state groups or squads and select riders for Sports Institute membership and recommend riders for special events and awards.

108.3 The Committee should attend all events set aside for selection purposes, and they may invite the relevant coaches and managers to provide information on a riders suitability and ability in order to reach a final decision.

108.4 A quorum for all final selection decisions shall be three.

108.5 The Committee shall notify the State Administrator of the selected representatives, or recommendations for special events and awards within 24 hours of a final decision being reached.

109 HANDICAPPING PANEL

109.1 The Handicapping panel shall comprise of three members appointed by the Board of Management.

109.2 The Panel shall assist and review seedings for Championships and grade and handicap riders for specific events.

110 RACE JURY

110.1 The jury shall be appointed by and at the discretion of the Board of Management.

110.2 The Jury shall hear all appeals against the decision of the Chief Commissaire occurring during an event to which the jury has been appointed.

110.3 The Jury may uphold or dismiss an appeal and shall have the right to vary any penalty, after discussion with the Chief Commissaire.

110.4 All appeals must be in writing and accompanied by the fee as set by the Board of Management and lodged with the Jury within 15 minutes after the decision is made by the Chief Commissaire. If the appeal is upheld the fee will be returned.

110.5 The Jury must attend each session of racing they are appointed to.

110.6 The decision of the Jury is final.

110.7 In cases where a suspension had been imposed by the Chief Commissaire for misconduct and upheld by the Jury, a further appeal may be lodged with the Racing Appeal Tribunal.

111 ENTRY FEES, ENTRIES

111.1 The entry fee for:

Ordinary open events;

Classic events, and other special events;

State Championships;

Other Championships;

shall be determined annually by the Board and circulated to all clubs.

111.2 All entries must be made on the official entry form, except when special arrangements have been made for the receipt of entries.

111.3 A member when entering for the first race, or first time, must complete the entry form in full, including performances.

111.4 All entries must contain:

Name;
Club;
Classification and Age;
Address;
Events and licence number;
Payment of entry fee.

111.5 Members must use their proper names at all times.

112 STATE REPRESENTATIVES

Members who are selected to represent Victoria in Australian Championships or Test Races or other events for which the Association is officially represented, shall pay to the Association a levy, as determined by the Board of Management.

113 ELIGIBILITY OF REPRESENTATIVES

To be eligible for selection to represent Victoria at an Australian Championship series, members must be affiliated with the Association for a minimum period of two months before a series commences.

114 LICENCES

114.1 All members must hold a licence issued through the Association.

114.2 An official, coach, motor pacer, mechanic, masseur or non-racing member shall be registered.

114.3 The following information must appear on the licence:

| | |
|----------------|---------------------------|
| Full names; | Name of Club and Colours; |
| Date of Birth; | Category; |
| Home address; | Sponsors; |
| Occupation; | Signature of bearer. |

114.4 When an ACF rider wishes to compete overseas, the rider shall return the designated international licence application to the ACF.

NOTE: Some foreign Federations require an official letter from the ACF in order for Australian riders to compete in their countries, eg Italy, Belgium, France.

115 LICENCE INSPECTION

115.1 Competitors and Officials should ensure that their current ACF licence is carried with them when attending any race meeting.

115.2 A competitor or an official may be requested by the Chief Commissaire to produce their licence for the purpose of identification and eligibility to compete or take part in an event, or to receive a racing number.

115.3 A competitor who fails to produce a licence when requested, may not be permitted to start in the event for which the rider had entered. Any entry fee previously paid for the event will be forfeited.

115.4 A member attending any meeting may be required by the chairperson to produce their current licence.

116 OFFENCES - MISBEHAVIOUR

Without limiting the generality thereof, Misbehaviour shall include:

116.1 Offences against the law of the Commonwealth of Australia or a State Territory thereof.

116.2 Offences against the law of a Country, State, Territory, Province, Town or Village beyond the shores of the Commonwealth of Australia;

116.3 Conduct which, when committed beyond the shores of the Commonwealth of Australia (including conduct in aircraft or ships at sea) would, had it been committed within the Commonwealth of Australia, fall within paragraph 116.1 above.

116.4 Conduct which is detrimental to Victorian Cycling Incorporated.

116.5 Conduct which is detrimental to the sport of cycling.

116.6 Members who at any time disobey a reasonable direction of an official, use undesirable language, strike or attempt to strike another person or otherwise misbehave themselves, shall be guilty of an offence.

117 OFFENCES - PROCEDURES

The procedure for dealing with offences shall be as follows:

117.1 An official may deal with an offence if:

The official observes conduct which in the opinion of the official constitutes misbehaviour.

A complaint is made either verbally or in writing to the official by a third person.

117.2 When a situation occurs, as described in clause 117.1 of this rule, the official shall, as soon as possible charge the member by informing that member of the facts which constitute the offence. The member shall then be permitted to answer the charge.

117.3 The official may then deal with the offence forthwith or may adjourn the further hearing of the charge to a time and place suitable.

117.4 At the conclusion of the hearing the official shall:
dismiss the charge, or
impose a penalty as prescribed by Rule 118.

118 OFFENCES - PENALTIES

118.1 The penalty for committing an offence shall be:

A warning, or

A fine not exceeding that approved by the ACF; or

Suspension from racing for such period as the official thinks fit; or

Suspension of the rider's racing licence; or

A combination of a fine, with all or any of the above penalties.

119 TRANSFERS

119.1 A member may transfer from one club to another upon receiving a written clearance from the member's present club and the approval of the club that the member is transferring to.

119.2 The application form, fully completed, and accompanied by the appropriate fee must be lodged with the Association and providing that there is no valid reason for refusing or delaying the transfer request, the effective date of the transfer will be from the date of receipt by the Association.

119.3 Members who has been refused a clearance may place their case before the Board of Management for a decision on the matter.

119.4 When a club becomes defunct, the members may apply to the Board of Management for transfer to another club. In such cases, the transfer fee will be waived.

120 CLUB CHAMPIONSHIPS

No Member shall be permitted to compete in any Championships at more than one club in any year, November 1 - October 31.

121 OPEN RACES

121.1 Promoters of Open events shall make written application to the Association stating the date, venue and value of prizes. A patronage form shall be forwarded to the promoters, and must be fully completed and returned to the Association within 14 days of receiving same.

121.2 When a promoter does not charge an entry fee or such entry fee is less than the normal fee for such an event, any expenses incurred by the officials considered necessary to conduct the event and a sanction fee shall be payable by the promoter. In all other cases, a percentage of all entry fees may be deducted to cover the officials and other legitimate expenses incurred by the Association.

121.3 No Open race shall be advertised or described as a "Championship" or "International" without the sanction of the Board of Management.

121.4 Any special conditions for an Open race, that is not covered in these rules, must have the consent of the Board of Management.

121.5 Where more than one track, road or mountain-bike meeting is listed on any given date, a member may enter for one meeting only. However, when the time difference between such meetings is sufficient to allow

the member reasonable opportunity to attend the second meeting, the rider may then be permitted to enter for the additional meeting.

122 COMBINED CLUB EVENTS

122.1 The maximum number of clubs permitted to combine for the purpose of conducting a cycle race shall be ten affiliated clubs. A club may apply to the Board of Management for exemptions to this rule.

122.2 Affiliated clubs shall not hold a combined race on a day set out for any Open event for which patronage has been granted, without first obtaining approval of the Board of Management.

122.3 Clubs seeking permission to promote such combined events must make written application on the Club letterhead to the Association at least 30 days prior to such promotion. The form to be signed either by the President or Secretary of the promoting Club.

122.4 A list of all entrants, results and Chief Commissaire's report of the meeting shall be forwarded within seven days by the promoting club to the Association. Clubs failing to comply with this rule may be fined by the Board of Management.

122.5 Should any combined meeting be cancelled or postponed, the promoting Club Secretary shall advise the Association of the action taken within three days.

122.6 Fines imposed at combined promotions become the property of the Association.

122.7 By mutual agreement, three clubs may combine to conduct an event when the combining clubs have not sufficient members to conduct a separate club event. The Association must be advised of such action.

122.8 A promoting Club may invite Clubs belonging to another State Association. However in all cases, the total number of Clubs invited, shall not exceed the limit as stated in clause 122.1 of this Rule.

123 INVITATION EVENTS

An invitation race is an event for which selected members have been invited by a promoter to compete.

124 INVITATION RIDES

124.1 A member of another State Association or International Federation who desires to compete in club or open events must notify the Association stating the licence number held, the venue and date. If approval is granted the person concerned must produce their current racing licence to the Chief Commissaire as evidence of their registration.

124.2 A member who desires to ride with another club, may do so, provided that approval to do so has been granted by both clubs concerned. When one club allows a member of another club to ride with its members, it shall be regarded as a single club for the purpose of combined club events.

125 ASSOCIATION EVENTS

125.1 When an Open event is sponsored and conducted by the Association, the Race Officials, including the corner stewards for road opens, shall be provided by the affiliated clubs. The Chief Commissaire will allocate the duties as required.

125.2 A roster system will operate for the Clubs to provide the officials. The Association will notify the appropriate Clubs, as rostered, 14 days in advance of the events being held.

126 PRIZES

126.1 Prizes may consist of trophies and other awards as agreed upon by the Board of Management.

126.2 All awards won in any event can be claimed from the Association one month after the event has been held.

126.3 All monies not claimed within two years become the property of the Association.

127 CLUB COLOURS

All affiliated clubs must register their colours and designs with the Association. No member of any club shall be permitted to compete in the registered colours of another club. Club colours must be worn in Club Teams Championships.

128 ASSOCIATION CLOTHING

128.1 The Association racing jersey shall be white and blue of such design as approved by the Board.

128.2 The Association uniform shall be blue and white. The uniform may only be worn by members representing the Association at official functions or in State teams, or by officials appointed by the Association. Eligible members may apply to the Association for permission to purchase a jacket.

129 MEDICAL EXAMINATIONS

129.1 The Association may appoint a qualified medical practitioner to act as its Medical Adviser.

129.2 A competitor may be requested to submit to a medical examination either prior to or at the conclusion of an event.

129.3 As part of the licence application, a member shall agree to being subject to drug/blood testing under ACF and UCI rules.

130 SAFETY

The safety of the competitors, officials and the public is paramount and all precautions must be taken by the organising club or promoter to provide this requirement, this also included providing qualified First Aid personnel.

131 ADVERTISING

131.1 Advertising is not permitted on World Champion, Olympic Champion or Australian Championship jerseys.

131.2 Advertising may be placed on Association jerseys in accordance with the ACF rules.

131.3 Advertising at any Victorian Championship series is subject to approval by the Board of Management.

132 PROOF OF AGE

A birth certificate or Statutory Declaration pending the production of a birth certificate as evidence of the age of a competitor in an age category event must be produced on demand to the Association.

133 DISQUALIFICATION/SUSPENSION - INTERPRETATION

133.1 Disqualification

This term shall apply to a rider who is disqualified for a breach of the racing rules during competition.

133.2 Suspension

This term shall apply to a member (or a club) who breaches a rule of conduct or racing and relates to a period of time imposed by the Chief Commissaire or the Board of Management.

133.3 A suspended member shall:

Forfeit all rights and privileges, except that the member may enter for a race for which entries close during the term of suspension;

Not be permitted to enter the riders dressing enclosure or the arena;

Not assist any competitor;

Not be allowed to attend any meetings of the Association;

Return their racing licence to the Association within three days after the suspension has been imposed, provided that the term of suspension exceeds 28 days.

134 SPONSORED CLUBS, GROUPS AND INDIVIDUALS

134.1 A club or an individual member may be sponsored commercially.

134.2 Clubs which allow sponsorship shall be required to pay a fee for each sponsorship payable before January 1 of the next year or as otherwise determined by the Board of Management. The duration of the Club or Individual sponsorship will be for 12 months. The fee will be pro-rata.

134.3 Copies of all sponsorship agreements shall be lodged with the Association.

134.4 The agreement shall be signed by the Association, Club, Sponsor and Rider.

134.5 Sponsorship fees shall be determined by the Board of Management.

134.6 The Board of Management reserves the right to refuse any sponsorship proposal.

134.7 An individual member who seeks sponsorship agreement must first obtain the approval of their club.

134.8 A coloured photograph or drawing of the proposed clothing together with the required approvals in writing must accompany any sponsorship application.

135 OWN RISK

Competitors and/or officials competing or officiating as the case may be in any event conducted by the Association or on behalf of the Association do so at their own risk.

136 NOT PROVIDED FOR

In cases not provided for in these rules, the Board of Management shall have full power to act and arrange where necessary.

137 KNOWLEDGE OF RULES

Competitors taking part in any event are deemed to have previous knowledge of the current rules and regulations.

138 INTERPRETATION OF BY-LAWS

In the circumstance that interpretation of the By-Laws is required, the Board of Management will make a final ruling of interpretation.

139 ELECTION PROCEDURE

139.1 NOMINATIONS

All nominations for President, Vice President and Board Members shall close at 4.00 pm on the first Wednesday of October with the Returning officer or as directed by the State Council.

139.2 RETURNING OFFICER AND SCRUTINEERS

139.2.1 A Returning Officer and two Scrutineers shall be elected by the State Council for a period of two years.

- 139.2.2 The nominees for Returning Officer and Scrutineers should be Life Members of the organisation of Club Presidents.
- 139.2.3 The Returning Officer shall be responsible for the preparation of the Voters List, distribution of the postal ballot papers and declaration of the poll
- 139.2.4 The Scrutineers shall be in attendance when the postal ballot papers are opened and counted.

139.3 VOTERS LIST

- 139.3.1 The Voters list shall close at the same time as the nominations.
- 139.3.2 All members of the organisation registered as Elite men; M23; Elite Women; W23; Veterans; Officials; Coaches; Life Members; Restricted Licences; and those J19 and W19 members who have attained their 18th birthday as at the close of nominations, shall form the Voters List.
- 139.3.3 Only members issued with a licence shall be on the Voters List.

139.4 VOTING

- 139.4.1 The Returning Officer shall ensure that all eligible voters receive a copy of the ballot paper and schedule which lists a short profile on each of the candidates
- 139.4.2 The postal ballot shall close as determined by the Board or State Council
- 139.4.3 When a ballot is required with two candidates, of the valid votes cast, a simple majority will determine the winner.
- 139.4.4 When a ballot is required for one position, with three or more candidates, the preferential system as used for the House of Representative will be used to determine the winner