



CYCLING QUEENSLAND

BY-LAWS

PART 1

ADMINISTRATIVE RULES

RULES 1000 TO 1999

Amended July, 2011

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LOGIC AND INTENT

These By-Laws are based on a logical form of reasoning and contain rules designed to produce:

- (a) A safe racing environment without removing the opportunities for Competitors to demonstrate their full potential.
- (b) Equal opportunity for all competitors to win or at least perform to their greatest capacity.

When applying these rules, the question to be always asked is - "Is it logical, safe and fair?" The intent of the rule must then be followed.

1000 A. LICENCES

- (a) The licence is an identity document, relating to the administration of the sport, which shall be required by all members of the Association i.e. competitors, pacers, team managers, coaches, mechanics, handlers, promoters and any other person associated with a team, organizers or officials.
- (b) The purpose of the licence is to indicate that the holder has undertaken to respect the Constitution, By-laws and Regulations of the Association.
- (c) The Association shall not incur any responsibility whatsoever upon the issue of a licence.
- (d) All members of the Association shall be issued with a licence and, by virtue thereof, shall assume the following obligations:
 - (i) Respect all international and national statutes and regulations.
 - (ii) Participate in cycling competition in a sporting and fair manner.
 - (iii) Submit to any disciplinary measures taken in accordance with the regulations.
 - (iv) Submit to any medical examination as provided for in the national and international regulations
 - (v) Submit any appeals or disputes to the bodies provided for in state, national and international regulations for final settlement.
 - (vi) Undertake to respect national and international licences for the duration of the period for which the licence is held.
- (e) The following information must appear on the licence:
 - ❖ Full Name
 - ❖ Date of Birth
 - ❖ Home Address
 - ❖ Name of Club
 - ❖ Category
 - ❖ Signature of bearer
 - ❖ A licence of a Commissaire shall carry the word "Commissaire"
- (f) Licences shall be issued in accordance with the schedule outlined in the Licensing of Members schedule.
- (g) It is the responsibility of the member to sign the licence on receipt thereof and to maintain the licence in a respectable condition. A licence is only valid if it bears the signature of the member and the appointed official of the Association.
- (h) The colour of the licence shall be as determined by the UCI colour code for all members and all licences shall expire on 31 December each year except as provided for in sub section B (a).
- (i) International Endorsement. When a rider decides to compete overseas, he/she shall apply to the Association for an ACF International Licence application form. This form must be forwarded to the ACF office, through the Association.
- (j) The licence shall be endorsed by the signature of the President of the ACF and the Federation seal.

- (k) Cycling Australia shall return the endorsed licence to the rider and inform the Association of the endorsement date.

Note: Foreign Federations require an official letter of approval from the ACF in order for Australian riders to compete in their country.

B. LICENCING OF MEMBERS

- (a) Except as provided for in sub section (b) below, all competitors, officials, coaches motor pacers, mechanics, derny riders and non-racing members must be registered and hold an ACF licence.
- (b) Restricted competition permits (eg day licences) may be issued for specific events as approved by the Association and fees shall be charged for same as determined by the Association and the ACF.
- (c) Holders of restricted licences (eg day licences) shall not be eligible to compete in State or National championships or National series events. The Association shall determine the events for which restricted permits may be issued and will administer and control the issue of such permits.
- (d) Upon receipt of an "Application for Membership" or an "Application for Renewal of Membership" form, together with the requisite fee and clearance, if necessary (see rule 1004) and upon acceptance by the Association of the applicant as a member, the Association shall issue a licence to the applicant. A licence shall be issued to each life member.
- (e) A masters competitor and a competitor under the age of eighteen (18) years shall be required to produce a birth certificate or extract of entry (or Statutory Declaration pending the production of a birth certificate) on demand to the secretary, before a licence is issued. This requirement shall apply to competitors, if selected in a representative team.
- (f) It shall be the responsibility of club secretaries when submitting a membership application form to verify a member's birthdate.
- (g) A licence shall be valid only if it bears the signature of the appointed official of the Association and the signature of the member.
- (h) Any unauthorised alteration to a licence shall render the licence null and void.
- (i) Only competitors holding current licences shall be permitted to compete in any club, interclub or open event. Excepting events approved by the Association, any district division, club or promoter who conducts an event in which unlicensed competitors compete shall be guilty of an offence and shall be liable for a fine or suspension.
- (j) A competitor may be required to hand in their licence when obtaining racing numbers at any open event or race meeting. The licence will be returned when racing numbers are handed back.
- (k) The licence shall be produced on demand to any official conducting an inquiry relating to racing, a protest or an appeal.
- (l) Where a licence is lost or destroyed the member may apply through his Club for a replacement. A fee shall be payable with the application.

1001 SUB CLASSIFICATIONS OF MEMBERS

(a) There are two (2) main Sub-Classifications of members. These are:

- (i) Non Racing
- (ii) Racing

(b) Non Racing Sub-Classification

- (i) All Members who do not compete in cycle races.
- (ii) Derny and Pacers licence

1 Derny Riders - Track Only

(a) Members who compete in derny events on a derny machine must be issued an adult competitors licence. *Derny riders are considered as competitors as they receive the same awards as competitors.*

(b) To qualify as a pacer/ competitor in a derny event that person must be competent to ride a derny machine or motor bike and have undergone a derny training session which has been endorsed by the ACF.

(c) Before competing in a derny event that person must produce their licence and a written document endorsed by the ACF that they have attended and passed the training session before they may participate.

2. Motor Pacer

(a) A Motor Pacer may be a person who:

- paces a keirin or motor paced event on the track (other than derny events).
- rides a motor bike or derny for training on the track.
- rides a motor bike or derny for warming-up competitors prior to competition.
- wears an approved motor cycle helmet.

(b) A Motor Pacer must hold at least an ACF non racing licence

(c) A Motor Pacer must hold a motor cycle licence issued and endorsed by the state authority in the state in which they reside.

(c) Racing - Sub-Classification

General

A cyclist may compete in an event of a different age category, older category in the case of juniors and younger category in the case of masters, provided such events are approved by the Association.

The Divisions of this Sub-Classification are as follows:

(i) Junior – Under – 9 (M/F)

A competitor shall be classified as a Junior Under 9 competitor until 31st December of the calendar year of their eighth birthday (Inserted 2006)

(ii) Junior – Under 11 (M/F)

A competitor shall be classified as a Junior Under 11 competitor from 1 January of the calendar year of their ninth birthday until 31st December of the calendar year of their tenth birthday (inserted 2006)

(iii) Junior – Under 13 (M/F)

A competitor shall be classified as a Junior Under 13 competitor from 1 January of the calendar year of their eleventh birthday until 31st December of the calendar year of their twelfth birthday

(iv) Junior – Under 15 (M/F)

A competitor shall be classified as a Junior Under 15 competitor from 1 January of the calendar year of their thirteenth birthday until 31 December of the calendar year of their fourteenth birthday

(v) Junior – Under 17 (M/F)

A competitor shall be classified as a Junior Under 17 competitor from 1 January of the calendar year of their fifteenth birthday until 31 December of the calendar year of their sixteenth birthday.

(vi) Junior – Under 19 (M/F)

A competitor shall be classified as a Junior Under 19 competitor from 1 January of the calendar year of their seventeenth birthday until 31 December of the year of their eighteenth birthday.

(vii) Under 23 – (M/F)

A competitor shall be classified as an Under 23 competitor from the 1 January of the year of their nineteenth birthday until 31 December of the year of their twenty second birthday.

(viii) Elite - Men/ Women (Senior)

A competitor shall be classified as a Man/Woman competitor from the 1 January of the calendar year in which the competitor's nineteenth birthday is reached (female) and twenty third birthday is reached (male).

Masters Divisions – General Notes

In masters championship events older age groups may compete with younger age groups in younger age categories when there are insufficient starters for a particular age championship category event

A masters racing licence enables the rider to enter masters events and graded racing at club or club combine level but would restrict them from contesting elite championships and national elite open racing (Feb 2009).

An elite racing licence permits a masters rider to enter any racing event including elite open and championship events, as well as contesting their respective masters category championship in the same year. (Feb 2009)

Presently there is no competition for Masters Division 1. Riders in this age division are required to take out an elite licence and race with that category. In special circumstances, e.g. Masters Games where a category for riders in the Masters Division 1 is catered for, riders who are in the 30-34 years age bracket, may compete in such event.

(ix) Masters Division ONE (M 1) – (See notes above)

A competitor shall be classified as a masters division one competitor at the commencement of the calendar year in which the competitor's thirtieth (30th) birthday is reached.

(x) Masters Division TWO (M 2)

A competitor shall be classified as a masters division two competitor at the commencement of the calendar year in which the competitor's thirty-fifth (35th) birthday is reached.

(xi) Masters Division THREE (M 3)

A competitor shall be classified as a masters division three competitor at the commencement of the calendar year in which the competitor's fortieth (40th) birthday is reached.

(xii) Masters Division FOUR (M 4)

A competitor shall be classified as a masters division four Competitor at the commencement of the calendar year in which the competitor's forty-fifth (45th) birthday is reached.

(xiii) Masters Division FIVE (M 5)

A competitor shall be classified as a masters division five competitor at the commencement of the calendar year in which the competitor's fiftieth (50th) birthday is reached.

(xiv) Masters Division SIX (M 6)

A competitor shall be classified as a masters division six competitor at the commencement of the calendar year in which the competitor's fifty-fifth (55th) birthday is reached.

(xv) Masters Division SEVEN (M 7)

A competitor shall be classified as a masters division seven competitor at the commencement of the calendar year in which the competitor's sixtieth (60th) birthday is reached.

(xvi) Masters Division EIGHT (M 8)

A competitor shall be classified as a masters division eight competitor at the commencement of the calendar year in which the competitor's sixty-fifth (65th) birthday is reached.

(xvii) Masters Division NINE (M 9)

A competitor shall be classified as a masters division nine competitor at the commencement of the calendar year in which the competitor's seventieth birthday is reached.

1002 RACING DIVISIONS - STATUS OF COMPETITORS

- (a) For summer track season competition, all members who are due to change category at the new membership year commencing 1 January of that respective season will compete in that higher age category from the commencement of that season, being 1 October. (Inserted 2006)
- (b) A competitor shall forfeit his racing division status by competing in a higher racing division when separate events or races for his own racing division are catered for on the same program, except when a special sanction is granted by the Board
- (c) Nomination for an event or race in a higher racing division is not in itself, grounds for forfeiture of a racing divisional status.
- (d) When postponement of an event or race, causes a competitor to enter a higher racing division, then the competitor shall be able to compete in that event or race provided:
 - (i) The postponement does not exceed 14 days.
 - (ii) The Competitor has not competed elsewhere in a higher racing division during the period of postponement.
- (e) Where there are insufficient competitors to conduct an event or race for any particular racing division, competitors maybe combined with other racing divisions to enable them to compete without their original racing divisional status being endangered. (Championships being excepted)

1003 MULTI CLASSIFICATION COMPETITION

- (a) Competitors may race against competitors in other racing divisions under the following conditions:
 - (i) The ability of the competitors is compatible.
 - (ii) Competitors' machines **MUST** remain within the gear development and equipment of the competitors OWN racing classification.

1004 CLEARANCE

- (a) A clearance is a statement by a club secretary or official verifying that a club member or a previous club member is free from all financial encumbrances or other racing penalties of that club.

- (b) A clearance shall be given within three (3) days to a person who qualifies and applies in writing for same.
- (c) A member, who is re-affiliating through a different club to the one which they were affiliated within the previous year, shall be required to obtain a clearance in writing from that club. (Application for Clearance form.)
- (d) Lapsed Membership

A person who as at any time during the preceding five years been a member of the Association through a club other than the club through which they now apply for affiliation, shall obtain a clearance from their previous club, provided that rule (c) does not apply.

1005 TRANSFER

- (a) A member wishing to transfer from one club to another during the year will be required to:
 - (i) Obtain a clearance in writing from the club to which the member belonged. If from a Queensland club, this shall be on an Application to Transfer form.
 - (ii) Obtain an acceptance in writing from the club to which the member intends joining.
 - (iii) Complete and forward an Application to Transfer to the Chief Executive Officer of the Association for approval of the Board.
 - (iv) Pay the prescribed transfer fee.
- (b) Upon approval to transfer by the Board, the member will be deemed to have transferred as from the date upon which the Application to Transfer, together with the clearance, acceptance and transfer fee was received by the Chief Executive Officer.

1006 – 1009 Reserved.

1010 CODE OF ETHICS FOR MEMBERS OF THE ASSOCIATION

- (a) This code is intended to ensure that a favorable image of the Association is projected to the general public by the actions of all its members.
- (b) All members should:
 - (i) Perform all duties they undertake with integrity, zeal and efficiency.
 - (ii) Be fair in their dealings with matters concerning the Association and other members.
 - (iii) Avoid all real and/or apparent conflicts with other members and/or associated bodies.
 - (iv) Always act in a sober manner while performing an active role associated with cycling or the Association or acting as a Commissaire.

- (v) During competition, never allow alcohol to be taken onto or consumed within the precincts of the official area of a road race, or within a track infield.
- (vi) Always act in a manner beneficial to cycling in order to promote the sport and present it favorably to the public.
- (vii) All licence holders shall, in whatever capacity, participate in cycling races in a fair and sporting manner. They shall look to contributing fairly to the sporting success of the race.
- (viii) Riders must sportingly defend their own chance – any collusion or behaviour likely to falsify or detract from the interest of the competition shall be forbidden.

1011 – 1049 Reserved.

1050 COMPETITION – REPORTING OF STARTERS AND RESULTS

Following the conclusion of a club, club combine, restricted open or open race meeting, the organising club, division or promoter must forward to the Association's Secretary within fourteen (14) days a list of all competitors with their handicap marks (if applicable), results and times, signed by the Chief Commissaire. Non compliance with this rule is an offence subject to a fine or suspension.

1051 – 1099 Reserved.

1100 GENERAL RULES – CLUBS (Amended May 2007) (June 2009)

- (a) To become accredited a club must
 - (i) be incorporated in Queensland and
 - (ii) have a minimum of 10 members (see also Rule 8.1 of Constitution)
- (b) To become affiliated a club must have an accredited national level 2 or level 3 commissaire and an accredited coach as part of its membership. Accredited is defined as recognized under the National Officiating Accreditation Scheme (NOAS)
- (c) To retain affiliation, clubs must achieve a ratio of one accredited commissaire for every 20 licenced racing members, but shall have a maximum of 10 commissaires required under this By Law. This ratio is to be calculated on the membership as at 31st December in the prior year. The majority of the commissaires as required by this By Law shall be either level 2 or level 3 nationally qualified. This rule shall have effect from 1st January 2008.
- (d) The Board of Cycling Queensland shall under exceptional circumstances have discretion under this By Law to affiliate clubs that do not meet the requirements of this rule.

1101 ANNUAL GENERAL MEETINGS - CLUBS

- (a) A club shall hold its Annual General Meeting not later than the thirty-first day of March of each year to receive the annual report and financial statement and to elect office bearers for the ensuing year.

- (b) Each affiliated club shall forward a copy of its annual report and audited financial statement to the Chief Executive Officer of the Association within one (1) month of same being adopted at the club's Annual General Meeting.
- (c) The Board shall have the right to deal with the report and statement and to call for further explanation where considered necessary.

1102 SUSPENSION OF A CLUB

- (a) Any club being three (3) months in arrears with any monies due to the Association may be suspended from the Association until such time as its arrears are adjusted.
- (b) Any club violating the rules of the Association or neglecting to comply with the direction of the Board may be fined or suspended.
- (c) Action in the above matter may be taken by the Board, but such action shall be subject to the Rights of Appeal under Rule 79.
- (d) A club refusing to pay a fine, or placed under suspension shall forfeit all rights and privileges enjoyed under its affiliation with the Association. Its delegates shall cease to serve on any standing Committees or the Board. All club members shall not be permitted to take part in any activity held under the auspices of the Association until such suspension has been lifted.

1103 TERMINATION OF CLUB AFFILIATION

- (a) On deciding to terminate its affairs, a club shall immediately notify the Chief Executive Officer of the Association in writing and when finalised shall forward to him/her all club records.
- (b) The Constitution and rules of a club shall contain provision for distribution of assets in terms similar to those contained in these rules relating to the distribution of surplus assets upon the winding-up of the Association.

1104 C.Q. CALENDAR AND CLUB RACE MEETINGS

- (a) Cycling Queensland will call for applications for open events or races in October each year for the following Winter season, and in May for the following Summer season. Applications not received by the nominated closing date will not be considered until those received by the due date have been allotted their requested dates. (Feb 2009)
- (b) The calendar shall be prepared by the Road/ Track Committee, presented to the Board, and be published and distributed prior to the commencement of the respective season.
- (c) The CQ road season shall run from April to September and the track season from October to March. Special CQ sponsored events or races outside these time limits may be approved by the Board.

1105 UNREGISTERED RACING

Unregistered racing shall mean competition in cycling events not conducted under the auspices of the Association.

- (a) No member shall compete in a cycling event which is not conducted under the auspices of the Association, without the approval of the Association.
- (b) The granting of approval will consider the effect such events will have on the promotion of any event which is held under the auspices of the Association and which is conducted on the same date.
- (c) Applications for approval to compete in such events shall be in writing, addressed to the Chief Executive Officer of the Association.
- (d) Participation in events, not under the auspices of the Association, without approval of the Association, shall render the offender liable to disciplinary action.

1106 ILLEGAL EVENTS

- (a) An illegal event shall be defined as an event that has not been sanctioned by the Association.
- (b) An event shall be retrospectively declared illegal when it is known that an unlicensed ACF rider or non permit holder competes.
- (c) The approval of an event by the Association shall be withdrawn (even after the event has concluded) when the promoter / organiser of an event has allowed knowingly or unknowingly, the participation of an unlicensed / non permit holder of the ACF in an event under their control.
- (d) Clubs, licensees and officials that conduct illegal events shall be liable to disciplinary action under the Associations rules. Furthermore an illegal event will not be insured by the ACF's insurance policy.
- (e) Events that provide for the participation of unlicensed ACF members or permit holders, which have been sanctioned by the Association, shall be recognized as legal and shall be exempt from this rule.

1107 - 1119. (Reserved)

1120 CLUB ORGANISATION - RESPONSIBILITIES

- (a) It is an offence to allow non Cycling Australia licensed competitors or licence holders to participate in an event, which is sanctioned by the Association
- (b) All parties under the ACF's jurisdiction – licensed promoters, licensees and officials who allow non Federation licensed competitors or permit holders to compete in an event, which is sanctioned by the Association or the Federation, shall be liable to disciplinary action under the Federation and the Association rules.

1121 ORGANISING CLUB/BODY

An organising club/ body shall be responsible for:

- (a) Making all applications and paying patronage to reserve the dates for a race meeting.

- (b) Compiling a race meeting program.
- (c) Providing:
 - (i) Re-imbusement of miscellaneous expenses for officials.
 - (ii) First Aid and qualified personnel.
 - (iii) Permit (Police or other authority).
 - (iv) Trophies and prize money.
 - (v) All other expenses to complete the race meeting.
- (d) Providing adequate venue officials and venue safety.
- (e) In conjunction with the promoter assist in promoting those “elite” competitors who have indicated in writing of their intention to compete.

1122 PROMOTER (Rule 1950 relocated and added – November 2009)

- (a) A promoter is a professional person/ body, employed under written contract by the organising club/ body to promote an event or race, race meeting or series.
- (b) A promoter shall be engaged by a written contract, showing details and responsibilities as required by the organising club.
- (c) A person may be approved to promote, organise and conduct cycle races in all forms in Queensland.
- (d) Such approval shall be subject to compliance with the rules of the Association and any other requirements deemed necessary from time to time by the Association.
- (e) A written permit shall be issued upon approval. A permit fee shall be payable.
- (f) All permits expire on 31 December each year.

1123 TEAM MANAGER

A team manager shall be a member of the Association and shall be responsible for:

- (a) All transport and accommodation for all team members for the entire duration of the purpose of the team, and its return home.
- (b) Arrangements for security and maintenance of machines as is possible under the prevailing conditions.
- (c) The personal affairs and well being of each team member in their own interests and endeavour to improve their standing in the sport.
- (d) All situations where a protest and/ or appeal are needed to protect the interests of the competitor under their charge.
- (e) Providing a report to the club/ Association within thirty (30) days after each commitment has been fulfilled.

1124 CLUB COACH

The club coach shall be a member of the Association and shall:

- (a) Use all materials received from the College of Coaches and district division coaching co-ordinator to improve club competitor performances.
- (b) Attend club meetings and report on coaching activities.

1125 PUSHER

A pusher shall be a member of the Association. Their duties shall be:

- (a) To hold up a competitor.
- (b) To push a competitor in handicap events.
- (c) To be aware of all the rules associated with the events or races with which they are involved.

1126 ATTENDANTS/ HANDLERS/ TRAINERS/ MECHANICS

The above mentioned personnel shall be members of the Association and assist the competitor with duties such as:

- (a) Clothing and apparel to be clean, tidy and worn correctly.
- (b) Machine preparation, including spares, tools and food to be adequately safe and available when required.
- (c) Being aware of all the specific rules of the events or races with which they are involved.
- (d) Observing the effects of training methods and suggest improvements when needed.

1127 PACERS

- (a) Pacers shall be members of the Association who hold a current motor cycle licence appropriate for the machine they are asked to ride. (See Rule 1001 b)
- (b) Pacers shall be under the direction of the chief commissaire and shall:
 - (i) Give pace to cyclists.
 - (ii) Ensure that the motor cycle is fitted with a free spinning roller.
 - (iii) Effect all movements, such as increasing or decreasing pace or moving up, down or off the track, very gradually.
 - (iv) Be aware of the specific rules of the particular events with which they are involved.

1128 - 1199 (Reserved)

1200 SPONSORSHIPS

- (a) Sponsorships may be approved by;
 - (i) The Association for officials, a state squad or competitors who represent the state, or
 - (ii) A club for any competitor as:
 - An individual (individual sponsorship).
 - A member of a group (group sponsorship) or
 - A club member (club sponsorship).
 - (iii) The Association for special events, races or classics, where the conduct of such events, races or classics relies heavily on funds to conduct them.
- (b) The Association, individuals, groups and clubs may enter into agreements with sponsors. The agreements may provide for the display of advertising on the individual's uniform, club's uniform or State uniform in accordance with the requirements for "Advertising on Uniforms".
- (c) A sponsorship agreement must provide benefits to the competitor or official in either cash or kind.
- (d) There must be no limit to the number of sponsorships, into which the Association, an individual, a group or club may enter.
- (e) When a club approves a sponsorship, agreement must be reached between the sponsor, the individual or group and the club. The agreement must provide for:
 - The term of the agreement.
 - Sizes and positioning of advertising on the uniform of each individual.
 - Responsibilities of the three parties involved and
 - Dissolution of the sponsorship agreement before the agreed term has expired.
- (f) A club may impose a sponsorship approval fee.
- (g) The advertising of cigarettes on clothing is prohibited. (Feb 2009)
- (h) The advertising of alcohol on clothing for juniors is prohibited. (Feb 2009)

1201 - 1299 (Reserved)

1300 REGIONAL/DISTRICT DIVISIONS

- (a) Clubs in a specific location and any adjoining location may combine to form a regional/district division.
- (b) A regional/district division when formed shall control racing within the region/division subject to the direction from the Board.
- (c) The boundaries of a region/division shall be decided by clubs upon recommendations of the Board.

- (d) Clubs, when applying to form a region/division shall submit a draft Constitution and Rules for approval by the Board. No rule of the proposed Constitution and Rules shall be inconsistent with the rules of the Association.
- (e) Any subsequent amendment of the Constitution and Rules shall be subject to the approval of the Association.
- (f) Region/district championships may be conducted and shall be open to all affiliated competitors. The promoting club must apply to the Association for patronage.

1301 ANNUAL CONFERENCE OF REGION/ DISTRICT DIVISIONS

- (a) Each year a conference may be held of all region/district divisions at a convenient time and place.
- (b) Those entitled to attend shall be the President, Secretary, Treasurer, Racing Secretaries of the Association, a representative of the College of Commissaires and two delegates from each region/district division.
- (c) Each delegate, to be eligible for appointment, shall have resided for not less than thirteen weeks in the region/district division they represent. The Chief Executive Officer shall be notified seven (7) days prior to the conference of the names of the delegates attending. Each delegate shall present written notification of his appointment to the Chief Executive Officer prior to the opening of the conference.
- (d) The Chief Executive Officer shall prepare an agenda from items received thirty (30) days prior to the Conference.
- (e) The conference shall be chaired by the President or in their absence, a Chairperson shall be elected from the conference members.
- (f) Six (6) members shall form a quorum.
- (g) Each delegate shall be entitled to vote on all motions which shall be decided by simple majority. In the event of an equality of votes, the chairperson shall have the casting vote.
- (h) Decisions of the conference shall be presented to the Association within sixty (60) days of the conference for endorsement or otherwise of any action as necessary.

1302 - 1399 (Reserved)

1400 STANDING COMMITTEES (Amended June 2006)

- (a) In accordance with Rule 33.3 of the Constitution the establishment of Standing Committees is the responsibility of the Board.
- (b) Where any member of a committee is absent for three (3) consecutive meetings without satisfactory explanation, his/her seat may be declared vacant by the Committee. An appeal against such action will be to the Board.
- (c) Any vacant position on a committee shall be filled by the Board following a resignation or the exhaustion of any Rights of Appeal. When a member's seat has been declared vacant, the Board shall appoint a replacement at its discretion.
- (d) The primary duty of the committee chairman shall be to co-ordinate the activities of the Committee.

- (e) The primary duties of the committee secretary are as follows:
 - (i) Convene all meetings of the committee as is considered necessary.
 - (ii) Maintain records and compile agenda items for all meetings.
 - (iii) Record all minutes and report on such meetings to the Board.

1401 QUEENSLAND COLLEGE OF COMMISSAIRES

Definition of Commissaire

Must be a current financial member of Cycling Australia who has passed an approved commissaire course and gained accreditation at Level 1 (club), 2 (state), 3 (national) or international level. Such accreditation must be maintained in accordance with the criteria as established by the NOAS and the Technical Committee of the Queensland College of Commissaires.

Duties:

A Commissaire is authorised to perform all technical duties as outlined in Section 3004, Duties of Officials, and any other operational or administrative duties that may be approved by the Association from time to time. These duties will depend on the commissaires level of accreditation.

- (a) Organisation
 - (i) The Queensland College of Commissaires is a special committee that shall consist of Association members who are accredited as U.C.I. International, U.C.I. National, Level 1, 2, or 3 commissaires in one or more of the disciplines of road, track or mountain bike racing.
 - (ii) Members of the Queensland College of Commissaires must be active as commissaires at Association, district/regional division or club level.
- (b) The functions of the Queensland College of Commissaires shall be to:
 - (i) Improve the standard of commissaires in Queensland.
 - (ii) Make recommendations to the Association regarding the conduct and organisation of bicycle racing.
- (c) Meetings

The Queensland College of Commissaires must meet at least twice in each year as follows:

 - (i) The Annual General Meeting of the College of Commissaires shall be held no later than one (1) month following the Annual General Meeting of the Association. (Amended May 2009).
 - (ii) The second meeting shall be held approximately six (6) months after the Annual General Meeting
- (d) Technical Committee (amended May 2009)
 - (i) At the Annual General Meeting the Queensland College of Commissaires shall nominate a Technical Committee which is a standing Committee to control its operations. These nominations to

be forwarded to the Board as per rule 33.3 (a) and (b) of the Constitution.

- (ii) The Technical Committee of the Queensland College of Commissaires shall consist of five (5) members of the College for a term of up to two (2) years with the chairperson and two (2) members being elected in each year of odd number and a secretary and one (1) member to be appointed in year of even numbers. The chairperson of the College must be accredited as a Level 2 (state) commissaire in one or more of the disciplines of road, track or mountain bike racing
 - (iii) **A regional representative may be appointed as required (May 2011)**
 - (iv) The Technical Committee must meet at least four (4) times each year.
- (e) The functions of the technical committee shall be to:
- (i) Investigate and recommend local rule changes.
 - (ii) Recommend rule changes for National consideration.
 - (iii) Formulate rules and rule changes for particular races for presentation to the Association for consideration and approval.
 - (iv) Perform duties and functions prescribed elsewhere in these rules.
 - (v) Endorse the chief commissaire, chief judge/ recorder and chief registration steward/ judge for each open race meeting.
 - (vi) Appoint a Jury of Appeal when considered necessary.
 - (vii) Provide instruction to workshop level for members of the Association who desire to qualify as a commissaire.
 - (viii) Conduct workshops for members of the Association to qualify for membership of the Queensland College of Commissaire.
 - (ix) Issue Certificates of Achievement to members of the Association who are qualified for membership of the Queensland College of Commissaires.
 - (x) Discuss and decide on interpretation of the rules of the Association.
 - (xi) Formulate racing rules and amendments to racing rules for presentation to the Association for adoption.

1402 QUEENSLAND COLLEGE OF COACHES

(a) Organisation

The Queensland College of Coaches is a special committee which shall consist of members of the Association who hold a cycling National Coaching Accreditation Scheme Certificate.

(b) Aims of the College

- (i) To improve the performance of cycling competitors within the State.
 - (ii) To research and disseminate all information regarding coaching and athletic performances in order to upgrade the knowledge of coaches throughout the State.
- (c) The Functions of the Queensland College of Coaches are to:
- (i) Establish a number of broad based training schemes, e.g. within the district divisions, clubs and schools.
 - (ii) Conduct Level 1 and higher (cycling specific) coaching courses.
 - (iii) Recognise district division coaching co-ordinators.
 - (iv) Improve communications between the Association, Queensland College of Coaches, district divisions and clubs.
 - (v) Improve the overall performance of all cycling competitors.
 - (vi) Encourage all coaches to actively take part.
 - (vii) Instruct coaches to make them proficient in given areas, e.g. club coach, divisional coach and state team coach.
 - (viii) Hold meetings in regard to discussion and interpretation of coaching methods.
 - (ix) Make recommendations with regard to new methods and technology to improve the level of coaching within the State.
 - (x) Select and recommend to the Board, State team coaches.
- (d) Meetings
- (i) The College shall nominate a Technical Coaching Panel, which is a standing committee, from its members to control its operations. These nominations to be forwarded to the Board as per rule 33.3 (a) and (b) of the Constitution.
 - (ii) The Panel shall include the appointed State Director of Coaching and at least five (5) other members of the college for a term of up to two (2) years with the chairperson and two (2) members being elected in each year of an odd number and the secretary and two (2) members being appointed in a year of even numbers.
 - (iii) Members of the Panel may include:
 - Secretary
 - Scientific Advisor
 - Coaching Co-ordinator - Road
 - Coaching Co-ordinator – Track/ Gym
 - Coaching Co-ordinator - Education
 - (iv) Further meetings of the College of Coaches shall be held whenever deemed necessary.

- (e) Duties of the State Director of Coaching
- (i) Co-ordinate the Queensland College of Coaches and administer its activities.
 - (ii) To report to the Board all activities of the College.
 - (iii) To disseminate coaching information to all active state, district, division and club coaches.
- (f) Duties of the Scientific Advisor
- (i) Research technology for the improvement of a cyclist's performance.
 - (ii) Provide the College of Coaches with their opinion on new equipment and methodology stating advantages, correct application and method, and any inherent dangers that may exist for each and every racing division of cycling competitor.
- (g) Duties of Coaching Coordinators - Road, Track (Gym) and Education
- (i) All coaching coordinators (road, track/ gym and education) shall deal directly with the competitive cyclists in their respective lines of duty and will be responsible for the formulation and implementation of racing programs for all State representative teams and individuals.
 - (ii) In addition, the track coaching coordinator shall be responsible for the formulation and implementation of all gymnasium programs.
 - (iii) The education coaching coordinator shall be responsible for conduct of coaching courses, the setting of exams and the marking of papers.

1403 RACING COMMITTEES – ROAD, and TRACK (Amended November 2009)

(a) Organisation

Each Racing Committee shall consist of **seven (7) members of the Association who shall be elected for a term of up to two (2) years with the chairperson and two (2) members being elected in each year of odd number and a secretary and three (3) appointed in each year of even numbers:**

- The Chairperson
- The Racing Secretary
- The Handicapper
- Four (4) members of the Association, elected pursuant to these Rules.

(b) Racing Committee – Road

Expressions of Interest will be called in August each year by the Board and members will be appointed in September each year by the Board as outlined in (a) above

- (c) Racing Committee - Track
- Expressions of Interest will be called in April each year by the Board and members will be appointed in May each year by the Board as outlined in (a) above
- (d) Any vacant position on a racing committee will be filled by the Board.
- (e) Meetings
- (i) At the first meeting following its election, each race committee shall elect from its own number, a chairperson
 - (ii) Five (5) members present shall form a quorum of a race committee.
 - (iii) Should any member of a racing committee be absent for three (3) consecutive meetings without satisfactory explanation, their seat may be declared vacant by the committee. An appeal against such action may be made to the next Board meeting. Any replacement will be filled by the Board.
- (f) Functions of the Racing Committee
- (i) Prepare their respective season's programs and submit them to the Board for approval.
 - (ii) Plan and organise the Queensland Championships and other such events and races considered necessary, including obtaining of permits and other necessary approvals.
 - (iii) Investigate open event or race venues to ensure that they are satisfactory.
 - (iv) In conjunction with the College of Commissaires, ensure that all necessary officials are available to conduct racing.
 - (v) In conjunction with the College of Commissaires, ensure that all officials and equipment are in position for all events or races conducted by the Association.
 - (vi) Investigate prize lists and the nomination fee charged, for all events or races conducted under the patronage of the Association to ensure that both are satisfactory.
 - (vii) Receive and take action on the Chief Commissaire's reports in respect to matters under their control.
- (g) Duties of the Racing Secretary (Amended November 2009)
- (i) Call for applications to conduct open events for the season and the collating of applications to conduct open race meetings and drawing up a calendar of events for the season which shall be submitted to the Board for approval.
 - (ii) Liaise with clubs and promoters re timing of events
 - (iii) Arrange necessary meetings of the committee to draft the calendar of events

- (iv) Ensure all equipment necessary for the conduct of events by the Association is available and in good condition
 - (v) Ensure that at least four (4) members of the committee attend each race meeting conducted by the Association
 - (vi) Ensure that sustenance is provided for all officials and volunteers in the form of a voucher or rations pack, water, sunscreen and shade
 - (vii) Collating of applications to conduct open race meetings and drawing up a calendar of events for the season which shall be submitted to the Board for approval.
- (h) Duties of the Handicapper (Amended November 2009)
- (i) For events promoted by the Association the handicapper shall receive a list of nominations from the Association and after grading and/or handicapping competitors, return the nominations to the Association as soon as possible.
 - (ii) They shall be responsible for the categorisation of all competitors when required.
 - (iii) When necessary, they may delegate all or part of their duties.
 - (iv) They shall receive the results of club events or races from the club racing secretaries/handicappers and keep records of all open event or race results.
 - (v) They shall, upon request, supply information to other persons responsible for grading and/or handicapping of other events.
 - (vi) They should endeavor to attend all open events conducted by the Association and where possible, attend other events under Association patronage. They may change gradings and/or handicaps if unforeseen circumstances prevail. They shall not change the handicap after the running of a heat and before the final of the handicap event.
- (i) Duties of Ordinary Committee Members (Added November 2009)
- (i) Attend meetings as called by the racing secretary
 - (ii) At least four (4) members of the committee to attend each race meeting conducted by the Association
 - (iii) Assist with the set up of the venue as required
 - (iv) Liaise with the Chief Commissaire re their requirements
 - (v) Ensure that all equipment is collected, stored and accounted for at the end of the racing

1404 SELECTION COMMITTEE See rule 33.3 (Amended November 2009)

- (a) Organisation.

The Selection Committee consists of Association members and shall include a representative of the Board, the State Team Coach, plus three (3) other members. Committee members will be elected for a term of two (2) years with the chairperson and two (2) members being elected in each year of odd number and the secretary and the remaining member to be appointed in each year of even numbers.

(b) Meetings.

The Selection Committee shall meet whenever deemed necessary.

(c) Duties

- (i) Guidelines and procedures for the selection of competitors shall be determined in conjunction with any requirements set by the Board.
- (ii) Any selector with a personal interest in any riders who are potential candidates for selection shall abstain from voting in that category
- (iii) The chairperson shall hold a casting vote if required
- (iv) Upon a selection list being finalised, the chair of the selection committee shall forward such list to the Board for endorsement as soon as practical.

1405 - 1499 (Reserved)

1500 - 1599 (Reserved)

1600 STATE REPRESENTATIVE TEAM

1601 STATE TEAM MANAGER

- (a) State Team Manager's duties shall include:
 - (i) Representing the teams in any incident arising from whatever events they enter.
 - (ii) Looking after the interests and general welfare of the team, including housing, food, transportation, uniforms, laundry and recreation.
 - (iii) Enforcing the rules of the Association.
- (b) A team manager being a member, shall be responsible for the administration of team funds as allocated by the Association and work within the budget as established.
- (c) The team manager shall, after consultation with state team coaches, nominate competitors for the respective disciplines.
- (d) It shall be their responsibility to present to the Board of the Association, a team manager's report and financial statement within sixty (60) days of completion of the team's function.

1602 STATE TEAM COACHES

- (a) Only members appointed by the Board may coach team members during their preparation and competition.

- (b) The state teams coaches shall have the responsibility, including but not limited to, of
 - (i) Developing and conducting programs to improve the competitive performance of the team members.
 - (ii) Advising and coaching candidates and members of teams, in the techniques and strategies of their competition.
 - (iii) Setting up the training program, practice and competition schedule.
 - (iv) Recommending selection procedures and recommending nominees for State selection according to requirements.

1603 STATE REPRESENTATIVE TEAM MEMBERS

- (a) All team personnel shall conduct themselves at all times and in all places in a manner befitting worthy representatives of their State and in accordance with the Code of Ethics, Rule 1010. This especially includes behaviour and dress whilst travelling to and from competition and in events for which they have been selected.

- (b) All team personnel, including competitors, assistant managers, assistant coaches, mechanics, chaperones and masseurs shall be under the strict supervision of the state team manager and coaches. By accepting membership of the state representative team, each team member agrees to the following:
 - (i) To prepare and condition themselves for the event and disciplines for which they have been selected.
 - (ii) Take part in all training sessions, camps and courses established for the team unless excused by the team manager.
 - (iii) Compete in designated events to the best of their ability when directed to do so by the team manager.
 - (iv) Arrange their education, employment, and personal responsibilities to fulfil their obligation as team member as far as is reasonably possible.
 - (v) Abide by team regulations as issued from time to time by the Association, including but not limited to any special curfew or rules of conduct established at training camps and competitive programs.

- (c) State representative team personnel, who do not adhere to the provisions of Rule 1603 may be dismissed from the team by the state team manager, or the Board.

1604-1699 (Reserved)

1700 AWARDS

1701 CERTIFICATE OF SERVICE

The Association may award a Certificate of Service to any member who in the opinion of the Board has performed their duties as an official in an exemplary manner or who has provided an outstanding service to the Association in a specific field.

1702 MEDAL OF MERIT

- (a) The Association may award the Medal of Merit to any member who has rendered outstanding service for a total of 12 years or more as an official of the Association, or to any other member in special circumstances.
- (b) The recommendations for the Award shall be made by the Board and submitted to the Annual General Meeting for approval.

1703 LIFE MEMBERSHIP (Changed 2006)

- (a) Upon election a life member shall be presented with an appropriate badge. Badges shall be similar design and of a like material.
- (b) A life member shall be granted free admission to any race meeting conducted by the Association or its affiliated clubs upon production of the life membership badge or membership card.
- (c) A life member shall be removed from the list of life members, if a Special General Meeting called for the purpose is satisfied by special resolution, that the member has –
 - (i) acted in a manner unbecoming of a member or prejudicial to the objects or interests of the Association or cycling; or
 - (ii) brought the Association or cycling into disrepute.
- (d) The life member shall be notified in writing stating the grounds of the decision or requisition, as the case may be, to convene a Special General Meeting not less than 10 days before the date of the Notice of Special General Meeting.
- (e) Upon removal as a life member, the member must return the life membership badge to the Chief Executive Officer.

1704 BAR TO LIFE MEMBERSHIP BADGE

- (a) The Association may, at a General Meeting, award a Bar to the Life Membership Badge held by a life member who has given at least a further ten years of service as an Official after having been awarded a Life Membership.
- (b) The recommendations for the Award shall be made by the Board.

1705 - 1749 (Reserved)

1751 MEDIA REPORTS AND INTERVIEWS

- (a) Any member of the Association, apart from those members whose official position requires them to do so, shall first obtain approval from the Board before contributing to media coverage of the sport. This approval may be withdrawn if it is considered by the Board to be detrimental to the well-being of the sport.
- (b) Any member of the sport making comments during interviews to the media which are considered by the Board to be detrimental to the Sport and /or the administration thereof, shall be dealt with by the Board.

- (c) A member who is invited by promoters and journalists to appear in any promotional activity or as a guest in any sport associated activities shall first obtain permission from the Board

1752 PUBLICITY AND MEDIA OFFICER

- (a) A Publicity and Media Officer may be appointed by the Board. The term of appointment shall be determined at the time of appointment.
- (b) The Publicity and Media Officer of the Association shall be responsible for:
 - (i) Preparation of press releases for any open meeting or championship promoted by the Association.
 - (ii) Having such press releases approved by a member of the Board.
 - (iii) Providing a copy of all press release material for Association records.

1753 PROMOTIONS - PROMOTIONS OFFICER

- (a) The Board may appoint from time to time as the need arises a Promotions Officer and the terms and conditions of such appointment shall be specified.
- (b) The Promotions Officer shall be responsible for:
 - (i) Promoting, with a view to gaining public support, events which are sponsored by the Association.
 - (ii) Raising funds for financing events that are promoted by the Association.
 - (iii) Encouraging competitors to patronise state, national and international open meetings and championships promoted by the Association.
 - (iv) Producing a full report at the conclusion of each commitment for official records.

1754 - 1769 (Reserved)

1770 LOGO - REGISTERED TRADE MARK

- (a) The accompanying LOGO is the Registered Trade Mark of the Queensland Cyclists' Association Inc. and shall NOT be used without the written authority of the Association.



1771 - 1799 (Reserved)

1800 DISCIPLINARY POWERS - GENERAL

1801 DEFINITIONS

The following Definitions apply to Rules 1800 - 1899.

- (a) "OFFICIAL" means :
 - (i) A member of the Board (Amended 2006)
 - (ii) An official defined in the Organisational Rules.
 - (iii) Any person who for the purpose of the Rules is deemed by the Board to be an official.
- (b) "MISCONDUCT". Without limiting the generality thereof, misconduct shall include:
 - (i) Indictable offences against the Law of the Commonwealth of Australia or of a State or Territory thereof.
 - (ii) Indictable offences against the Law of a Country, State, Territory, Province, Town or Village beyond the shores of the Commonwealth of Australia.
 - (iii) Conduct which, when committed beyond the shores of the Commonwealth of Australia (including conduct aboard an aircraft, or ships at sea) would, had it been committed within the Commonwealth of Australia, fall into Rule 1801(b)(i).
 - (iv) Conduct which is detrimental to the A.C.F. and/ or the Association.
 - (v) Conduct which is detrimental to the sport of Cycling.

1802 OFFENCES

- (a) These Rules on Disciplinary Powers, are intended primarily for competitors, but they may include and be applied to all members when necessary.
- (b) A member, who at any time disobeys an official, uses undesirable language, strikes or attempts to strike another person or otherwise misconducts himself, in other ways, either during an event or race or at the place where the event or race is being conducted, shall be guilty of an offence.
- (c) Penalties may be imposed on any member by:
 - (i) The Judiciary (Inserted 2004)
 - (ii) The Chief Commissaire at a race meeting.
- (d) A member who incurs a monetary penalty must pay such monies within the time stipulated by the authority imposing the fine, before the member is permitted to compete, take out a further licence or officiate again.
- (e) Upon the suspension of a member, the chief commissaire shall advise the Chief Executive Officer of the Association, who shall then notify the member's club of the suspension forthwith.
- (f) A suspension period shall expire before a member is permitted to compete, take out a further licence or officiate again.

- (g) A member, upon suspension, shall surrender their membership card/ licence to the suspending authority.
- (h) During suspension, all membership rights are forfeited and the person concerned is not permitted to enter the race arena during competition periods.
- (i) The organising club/ body, and/ or the member's club are responsible for the terms of the penalty being carried out. Refer Rule 3807.

1803 PENALTIES - NON RACING

The penalty for committing an offence shall be:

- (i) Admonishment.
- (ii) A fine not exceeding an amount determined by the Board.
- (iii) Suspension for a period.
- (iv) Suspension of the member's licence.
- (v) A combination of a fine, with all or any of the above penalties.

1804 PENALTIES - RACING

A competitor must be penalised and may be disqualified from a race for:

- (i) Refusing to obey the orders of an official.
- (ii) Threatening, abusing, striking or attempting to strike any other competitor or an official connected with the race meeting.
- (iii) Inciting or attempting to incite a boycott of any race or race meeting.
- (iv) Using abusive, insulting or obscene language or gestures during a race or within the sight or hearing of the general public at a race meeting.
- (v) Interfering with another competitor or another competitor's bicycle, or acting in a manner considered to be dangerous to another competitor or the general public.
- (vi) Removing a helmet during a race, or crossing the road course or track endangering the safety of another competitor or the general public.
- (vii) Urinating in an inappropriate public place.
- (viii) Littering eg throwing food wrappers or similar onto roadway or public open spaces

1805 PENALTIES GENERAL

The Chief Commissaire at a race meeting, shall have the power to remove any person from the arena and to apply such penalties as listed below, to any member of the Association, competitor or non-competitor, whose actions justify

such a penalty. Penalties shall be applied in the order shown, taking into consideration the seriousness of the offence:

- (i) Warn.
- (ii) Reprimand.
- (iii) Fine to a maximum (As decided upon at the September meeting of the Association)
- (iv) Disqualify.
- (v) Suspend for a period.
- (vi) Relegation in placings.
- (vii) Loss of points.
- (viii) Combination of (i) to (vii) above.

1806 SUSPENSIONS

- (a) If the Chief Commissaire suspends a member, they shall immediately notify the Chief Executive Officer of the Association, who shall as soon as practicable notify the member's club.
- (b) A member suspended shall not be permitted to start in any event or race until their term of suspension has expired.
- (c) Where any club fails to enforce the term of suspension imposed upon any of its members, that club shall be subject to such penalty as the Board shall determine.
- (d) A member has the right of Appeal against any such decision

1807 PROCEDURES

- (a) When an official is personally involved with a competitor, such as a manager, coach or relative, they shall disqualify themselves or stand down from any position where a judgement is required.
- (b) The procedure for dealing with offences shall be as follows:
 - A controlling official may deal with an offence if:
 - (i) They observe conduct, which in the opinion of the official, constitutes misconduct.
 - (ii) A complaint is made either orally or in writing to them by a third person.
 - (iii) On observing misconduct or on a complaint being made to them by a third person, the controlling official shall as soon as possible, charge the competitor with an offence by informing the competitor of the offence and the facts constituting the offence. The competitor shall then be permitted to answer the charge.
 - (iv) The official may then deal with the offence forthwith or adjourn the hearing of the charge to a time and place suitable to their self.
 - (v) At the conclusion of the hearing, the official shall:
 - Dismiss the charge, or
 - Impose a penalty as prescribed by Rule 1803.

1808 JUDICIARY (New Rule 2004)

1. The Judiciary is a committee established by the Board pursuant to the Rule 33.1 of the Constitution with a chairperson and such other members (who may be individual members of the Association or otherwise) having knowledge skill and ability commensurate with the duties and responsibilities of the position and otherwise as the Board considers desirable.
2. (a) The Judiciary has power to hear and determine:
 - (i) Complaints that a member has breached, failed, refused or neglected to comply with a provision of the Constitution, the By-Laws or any resolution or determination of the Board or any duly authorized committee; or has acted in a manner unbecoming of a member or prejudicial to the objects or interests of the Association or cycling ; or has brought the Association or cycling into disrepute.
 - (ii) Complaints of misconduct or for offences as defined by the By-Laws.
 - (iii) Appeals from a decision by a club.
 - (iv) Appeals from a decision of an official (other than an admonition).
 - (v) Appeals from the decision of the Chief Commissaire, Race Jury or Jury of Appeal at a race meeting provided that where a Race Jury or Jury of Appeal has been appointed leave to appeal has first been granted by the Judiciary.
 - (vi) And to impose penalties as provided in By-Law 1803 and 1805 either originally or in substitution for another penalty imposed on a member or make such other order as may be necessary to give effect to a finding in favour of an appellant.
- (b) The jurisdiction of the judiciary must be exercised by a panel appointed by the Chairperson comprising an uneven number of not less than 3 members.
- (c) Without limiting the application of other grounds of disqualification, no member of the Judiciary shall be appointed to a panel to adjudicate on a complaint or appeal on a matter with which they have been involved in an official capacity or where a party is a member of a club of which they are also a member.
3. (a) Any member of the Board, official or other member may make a complaint or lodge appeal to the Judiciary.
- (b) A complaint or appeal (including an application for leave under Clause 5 of this By-Law) must be in writing setting out the grounds upon which the complaint or appeal is made and be accompanied by such statements or documents as are intended to be relied upon and be lodged with the Chief Executive Officer-
 - (i) Within 14 days after the matter of complaint arose, or the appellant received notification of the decision appealed against, and
 - (ii) be accompanied by the prescribed fee.
- (c) The Chief Executive Officer must as soon as practical after receipt, thereof, forward the Complaint or Notice of Appeal (including any application for leave under Clause 5 of this By-Law), and all details and documents relating thereto to the Chairperson and other members nominated by them to form the panel.

4. (a) As soon as practicable after receiving the Complaint or Notice of Appeal or Application For Leave to Appeal under Clause 5 of this By-Law, the Judiciary must conduct a preliminary examination of the matter.
 - (b) If the Judiciary is satisfied that a prima facie case has been established, the Judiciary must cause a Notice of Hearing to be served on each party namely the complainant, the defendant, the appellant and the official or member whose decision is the subject of the appeal.
 - (c) If not satisfied that a prima facie case has been established, or that the matter is trifling or vexatious, or that the requirements of Clause 5 of this By-Law have not been satisfied, the Judiciary must dismiss the complaint or appeal.
 - (d) Notice of such a dismissal and the grounds must be given to each party.
5. In the case of an appeal against a decision of a Race Jury or Jury of Appeal, the appellant must obtain leave of the Judiciary by establishing that the grounds for appeal involve some important principle or law or justice (such as the principles of natural justice) or that a manifest error of judgement has occurred in relation to the facts or circumstances on which the decision was made.
6. A Notice of Hearing must state the date and place of the hearing, which shall take place as soon as practicable after receipt of the complaint, together with information contained in Sub By-Law 7 of this By-Law.
7. (a) A party may appear before the Judiciary, ask questions of any witness and make submissions either personally or by his or her representative.
 - (b) Legal representation is not permitted except with leave of the Judiciary.
 - (c) A party may, instead of appearing personally or by representation, give a written statement setting out all relevant information in response to the complaint and/or submissions or penalty or in relation to the grounds of appeal.
 - (d) A defendant or appellant under the age of 18 years must also be represented by an adult. The Judiciary has the power to appoint an adult representative if none has been nominated by the party.
 - (e) If a party fails to attend or be represented at the hearing or make written submissions, the Judiciary may hear and determine the matter in his or her absence.
8. The Judiciary may conduct the hearing convened in accordance with the above provisions in such place and in such manner as it thinks fit, provided that in doing so it must observe the rules of procedural fairness.
9. The provisions of these By-Laws – 1800 Disciplinary Powers – General shall where appropriate apply to the enforcement and effect of any penalty imposed by the Judiciary.

1809 APPEAL BOARD

- (a) Any member aggrieved by a decision of the Judiciary shall have a right of appeal to the Australian Cycling Federation Appeal Committee, which shall be the Appeal Committee for the purposes of these By-Laws.
- (b) The provisions of By-Laws 2.14 and 2.15 of the Australian Cycling Federation with necessary changes are to apply to the appeal and the functions and powers of the Appeal Committee
- (c) This By-Law shall be deemed to have come into operation on the 17th August

2004, the date of approval under the Associations Incorporation Act 1981 of amendments to the Constitution of the Queensland Cyclists Association Incorporated.

1810 - 1899 (Reserved)

1900 FEES - See Rule 49

The Chief Executive Officer shall publish a schedule of prescribed fees as adopted by the Board.

1901 - 1949 (Reserved)

1950 PROMOTERS PERMIT– (Relocated to Rule 1122 – November 2009)

1951 – 1999 (Reserved)