

AUSTRALIAN CYCLING FEDERATION INCORPORATED  
Trading as  
**CYCLING AUSTRALIA**

---



# BY-LAWS

## TABLE OF CONTENTS

RULE No	RULE	PAGE
2.01	PATRONS	2
2.02	DELEGATES TO OTHER ORGANISATIONS	2
2.03	LIFE MEMBERSHIP ENTITLEMENTS	2
2.04	GENERAL MEETINGS	2
2.05	COMMISSIONS	3
2.06	SELECTION COMMITTEES	8
2.07	MULTI DISABILITY CYCLING	9
2.08	CODE OF CONDUCT	10
2.09	ANTI DOPING POLICY	10
2.10	DISCIPLINARY MATTERS – GENERAL PRINCIPLES	10
2.11	DISCIPLINARY MATTERS – DEFINITIONS	11
2.12	DISCIPLINARY MATTERS – PROCEDURE	13
2.13	DISCIPLINARY MATTERS – IN COMPETITION	14
2.14	PENALTIES	14
2.15	APPEALS	15
2.16	FEES	17
2.17	LICENCES	18
2.18	LICENSING OF MEMBERS	19
2.19	PROMOTER'S LICENCE	22
2.20	RESPONSIBILITY OF PROMOTERS	22
2.21	EVENT ORGANISERS	23
2.22	CONDUCT OF CYCLING ACTIVITIES	23
2.23	RESPONSIBILITY OF EVENT ORGANISERS	24
2.24	ILLEGAL EVENTS	24
2.25	FEDERATION EVENTS	24
2.26	HOSTING AGREEMENT	25
2.27	NATIONAL SERIES RACES	25
2.28	INTERNATIONAL RACES	26
2.29	NATIONAL TEAMS	27
2.30	SPONSORSHIPS	29
2.31	MERITORIOUS SERVICE MEDAL	29
2.32	MAIL VOTE	29
2.33	LOGO	30
2.34	REGISTERED TRADING NAME - TRADEMARK	30
	ANNEXURES (List of)	31
Schedule 1	PENALTIES FOR DISCIPLINARY MISCONDUCT	32
Schedule 2	PENALTIES IN COMPETITION	33
	INDEX	37

## **CYCLING AUSTRALIA BY - LAWS**

### **2.01 PATRONS**

The Annual Council Meeting or Special Meeting may appoint patrons to the Federation. A person appointed to this position shall be a prominent citizen of Australia whose appointment is likely to foster cycling in Australia and advance the interest of the Federation.

### **2.02 DELEGATES TO OTHER ORGANISATIONS**

2.02.01 The President and/or a Vice-President shall be appointed by the Board of Management of the Federation as delegates to any meeting of the Australian Olympic Committee and Australian Commonwealth Games Association and such other organisations; as required.

2.02.02 The Board of Management may appoint delegates to represent the Federation when an emergency occurs.

2.02.03 The delegates shall within 14 days after attending the meeting, forward to the Board of Management a written report of the business transacted.

### **2.03 LIFE MEMBERSHIP ENTITLEMENTS**

2.03.01 Life Members may attend the Annual General Meeting and express their views but shall not be entitled to vote unless that person is a nominated delegate.

2.03.02 Entry to all Australian Championships and events conducted by Cycling Australia. Entry shall include VIP admission where available.

2.03.03 A copy of all Council minutes.

2.03.04 Any other entitlements that the Board of Management may decide on from time to time.

### **2.04 GENERAL MEETINGS**

2.04.01 The Board of Management shall convene General Meetings in accord with Rules 1.18, 1.19, 1.20, 1.21, and 1.22 of the CA Constitution. The business to be transacted at General Meetings may include:

- Apologies
- Registration of Constituent Delegates
- Minutes of previous General Meeting
- Special resolutions proposed in accord with the powers of the Council (refer Rule 1.18)
- Reports
- General Business

2.04.02 One of the General Meetings of the Council conducted each year in accord with Rules 1.18 and 1.19 of the CA Constitution shall be known as the Annual General Meeting (AGM).

2.04.03 The AGM shall be held no later than four (4) months after the conclusion of the preceding financial year.

- 2.04.04 The business to be transacted at the AGM shall include:
- Apologies
  - Registration of Constituent Delegates
  - Minutes of previous AGM
  - Annual reports from relevant office bearers, office staff, commissions.
  - Audited Financial Report
  - Election of Office Bearers
  - Endorsement of Commission appointments
  - Appointment of Auditor
  - Appointment of Patron
  - General Business where a special resolution has been proposed for
    - An amendment to the Constitution, or
    - A nomination for Life Membership
 or other business for which notice has been given
- 2.04.05 The audited financial report shall refer to the financial accounts of the preceding financial year.
- 2.04.06 The CA office shall circulate advice in writing to Constituent (State) Associations at least ten (10) weeks prior to the AGM, calling for:
- Nominations for election to office bearer vacancies,
  - Nominations for appointment to commission vacancies, and
  - Notice of proposed special resolutions
  - Notice of items for general business
- 2.04.07 The office shall provide Constituent Associations four (4) weeks in which to respond to the information sought in 2.04.06 above after which, formal notice of the AGM and business to be conducted shall be advised within five (5) weeks in accord with Rule 1.20 of the CA Constitution.
- 2.04.08 The CEO shall ensure that accurate minutes are recorded for all General Meetings and that these minutes are distributed to the Board Members and Constituent Associations within one (1) month after each respective meeting.
- 2.05 COMMISSIONS**
- 2.05.01 In accordance with Rules 1.57 and 1.58 of the CA Constitution, the Board of Management has the power in pursuit of its objects, to install Commissions.
- 2.05.02 To be eligible for appointment to a Commission, a person must be a member of CA.
- 2.05.03 Commissions are sub-committees of the Board of Management of CA. The roles and responsibilities as outlined hereafter are delegated to these Commissions to be enacted with autonomy, provided that:
1. The Commissions provide the Board of Management with regular reports on their decisions and activities. These decisions must be endorsed by the Board Members before any correspondence or information is conveyed to Constituent Associations, press or any other relevant bodies.
  2. The Chairperson of each Commission, with the exception of the Athletes' Commission, will be appointed by the Board of Management from the membership of the Board of Management.

3. The Commissions operate within the scope of a budget and operational plan approved by the Board of Management.
4. Minutes of a meeting are to be circulated to the respective Commission within fourteen (14) days and to the Board of Management within twenty-one (21) days.
5. All correspondence relating to commissions shall be circulated through the CA office by the respective staff delegate.

2.05.04 The Board of Management reserves the right to overrule a decision or directive of a Commission when it determines that the commission has operated contrary to objectives of CA, in particular the:

- Constitution
- By-Laws, or
- Strategic Plan

2.05.05 **Discipline Commissions**

1. The Board of Management may appoint a Commission for each discipline of cycling conducted under the responsibility of CA. A Discipline Commission will consist of:
  - a) Four (4) persons recommended by the Board of Management and endorsed by the Annual General Meeting for a term of two years on a rotating basis. Such persons will be expected to have suitable knowledge and/or skills relevant to the discipline.
  - b) A Chairperson appointed by the Board of Management.
  - c) The respective National Discipline Coach (or their nominated proxy who is an active coach at the national level).
  - d) A CA staff member appointed by the CEO, who shall act as Coordinator and secretariat to the Commission.
2. A Discipline Commission shall meet at least quarterly. Meetings may take place in person, via tele-conference or other electronic medium.
3. The roles and functions of a Discipline Commission are:
  - a) Develop and implement a Strategic Operational Plan within the framework of the CA Strategic Plan
  - b) Take responsibility for overseeing the operational management of their discipline
  - c) Determine the national discipline calendar
  - d) Oversee and monitor the conduct and operation of the national championships, including determination of venue and promoter
  - e) Oversee and monitor the conduct and operation of the national series
  - f) Liaise with High Performance Management Committee to ensure integration with domestic activities
  - g) Work cooperatively with other CA commissions, committees, affiliates and staff to achieve a coordinated approach to the development of cycling
  - h) Provide reports and recommendations to the Board of Management as requested
4. Pursuant to the provisions of clause 1.37(e) of the Constitution, a director shall be nominated by Mountainbike Australia and endorsed by the Board of Management.

### **2.05.06 Athletes Commission**

1. The Athletes Commission shall consist of six senior cyclists who have current racing licenses or have retired from elite competition in the past five years but still remain active in the sport.
2. The six members shall be appointed so that the commission is constituted by a broad representation of the membership, which may include but not be limited to: both male and female athletes; all disciplines of cycling conducted under the auspices of CA; and, athletes with a disability.
3. The appointment of the six members shall be recommended by the Board of Management and endorsed by the Annual General Meeting for a term of two years on a rotating basis – male representatives one year and females the alternate year.
4. The members of the Athletes Commission will elect a Chairperson at the first meeting of the Commission after each AGM. In accordance with Rule 1.37(c) of the CA Constitution, the elected Chairperson shall be a member of the Board of Management.
5. The Athletes Commission shall meet as required. Meetings may take place in person, via tele-conference or other electronic medium.
6. The roles and function of the Athletes Commission are:
  - a) To act as a consultative forum and provide recommendation to the Board of Management on issues directly relating to the athletes
  - b) To foster an athletes code of conduct that will ensure Australian cyclists are regarded as role models for all Australian athletes
  - c) Provide an effective forum for cyclists to voice issues, concerns and grievances in relation to their cycling careers
  - d) Discourage and prevent practices or activities likely to be detrimental to cycling or to the interests of cyclists
  - e) To foster good fellowship among cyclists and advance the mutual interests of cyclists at all levels of competition

### **2.05.07 Masters Commission**

1. The Masters Commission will consist of:
  - a) Four persons recommended by the Board of Management and endorsed by the Annual General Meeting for a term of two years on a rotating basis.
  - b) A Chairperson appointed by the Board of Management
  - c) A CA staff member appointed by the CEO, who shall act as secretariat to the Commission.
2. The Masters Commission shall meet at least quarterly. Meetings may take place in person, via tele-conference or other electronic medium
3. The roles and function of the Masters Commission are:
  - a) Develop and implement a Strategic Operational Plan for masters cycling within the framework of the CA Strategic Plan
  - b) Take responsibility for overseeing the operational management of masters cycling
  - c) Determine the national masters calendar

- d) Oversee and monitor the conduct and operation of the national masters championships, including determination of venue and promoter
- e) Work cooperatively with other CA commissions, committees, affiliates and staff to achieve a coordinated approach to the development of cycling
- f) Provide reports and recommendations to the Board of Management as requested

#### **2.05.08 Technical Commission**

1. The Technical Commission shall consist of:
  - a) Four accredited commissaires who are currently active in the sport. The appointment of the four members shall be recommended by the Board of Management and endorsed by the Annual General Meeting for a term of two years on a rotating basis
  - b) A Chairperson appointed by the Board of Management
  - c) A CA staff member appointed by the CEO, who shall act as secretariat to the Commission
2. The Technical Commission shall meet as required. Meetings may take place in person, via tele-conference or other electronic medium
3. The roles and function of the Technical Commission are:
  - a) Inspection of all Australian Championship venues in coordination with respective discipline commission. Submit subsequent reports and recommendations
  - b) Supervise the technical aspects of all events
  - c) Recommend technical officials for all Australian Championships, Category 1 National calendar events, and other international events conducted in Australia
  - d) Recommend amendments and additions to the Technical Regulations, as required
  - e) Ensure that there is uniformity between CA and UCI Technical Regulations
  - f) Review the content and monitor the delivery of National Officiating Accreditation Scheme (NOAS) cycling courses, ensuring their compliance with the Australian Sports Commission guidelines.
  - g) To act as a consultative forum and provide recommendation to the Board of Management on issues directly relating to Commissaires
4. Three members of the Technical Commission shall constitute the Jury of Appeal for Australian Championships. If less than three members are available, then proxy members may be appointed.

#### **2.05.09 Coaching Commission**

1. The Coaching Commission shall consist of:
  - a) The National Head Coach, or equivalent position.
  - b) From nominations received, four members who are currently accredited under the National Coach Accreditation Scheme (NCAS) for cycling coaches, recommended by the Board of Management and endorsed by the Annual General Meeting for a term of two years on a rotating basis
  - c) A Chairperson appointed by the Board of Management
  - d) The National Coaching Director

2. The Coaching Commission shall meet as required. Meetings may take place in person, via tele-conference or other electronic medium
3. The roles and function of the Coaching Commission are
  - a) To make recommendations to the Board of Management on coaching and athlete development issues covering the spectrum of athlete participation
  - b) Work cooperatively with other CA commissions, committees, affiliates and staff to achieve a coordinated approach to the development of cycling
  - c) Review the content and monitor the delivery of National Coaching Accreditation Scheme (NCAS) cycling courses, ensuring their compliance with the Australian Sports Commission guidelines
  - d) Disseminate information on current sports science/sports medicine practices, coaching principles and coaching practices to all active NCAS Cycling coaches within Australia
  - e) Endorse and monitor payment of any funds or grants to coaches or coaching programs.
  - f) Recommend the appointment of any coach (excluding AIS/National & NTC coaches) to a position within the national structure, including satellite coaches
  - g) A member of the Coaching Commission, or their appointed representative, shall accompany the Technical Commission in the inspection of all courses and venues that are intended to be used for Australian Championships

#### **2.05.10 High Performance Management Committee (HPMC)**

1. The HPMC shall consist of:
  - a) The President of CA, who shall be the Chairperson
  - b) Two (2) persons appointed by the Board of Management for a term of two years on a rotating basis
  - c) One (1) person appointed by the Australian Sports Commission (ASC)
  - d) One (1) person appointed by the Australian Institute of Sport (AIS)
  - e) A representative from other organisations that contribute to the high performance programs may be appointed with the approval of the CA Board of Management.

Note: The Head Coach and High Performance Manager will be required to attend meetings of the HPMC as and when available.

2. The HPMC shall meet as required to ensure the successful operation of the high performance programs. When scheduled, the HPMC shall meet in conjunction with the AIS cycling program management meetings. Minutes of such meetings shall be distributed to the Board Members within 14 days of the meeting.
3. The roles and function of the HPMC are to oversee the management of the high performance programs. The Board of Management will delegate a number of specific responsibilities to this body, which may include:
  - a) Provide direction to and monitor the management and operations of the high performance programs
  - b) Monitor the budget and financial operations of the high performance programs
  - c) Endorse the selection of national team representatives, both athletes and staff

- d) Review national discipline programs and funding priorities within programs
- e) Recommend to the Board of Management on strategic and policy matters relating to high performance cycling
- f) Endorse the specific initiatives of the high performance programs
- g) Review the performance of national program coaches and report to CA Board of Management.

2.05.11 The Board of Management may appoint other commissions and committees as required from time to time in accord with Rule 1.58 of the CA Constitution, to provide consultation and recommendation in areas relevant to the terms of reference of the respective committee.

## **2.06 SELECTION COMMITTEES**

2.06.01 Selection Committees for all national teams shall consist of a minimum of three (3) members.

1. One member shall be the National Performance Director or the appointed national discipline coach who will automatically be appointed as a member of the selection panel for each respective discipline.
2. Two (2) members shall be appointed by the Board by the end of the year preceding the first year of their appointment. Each selector will be appointed for a term of two years on a rotating basis in order that one member shall retire each year
  - In the case of Track, Road and Athletes with Disability selection committees, recommendations shall be submitted to the Board by the three directors appointed to the High Performance Management Committee.
  - In the case of the Mountainbike selection committee, recommendations shall be submitted to the Board by Mountainbike Australia.
  - In the case of the Bicycle Motocross selection committee, recommendations shall be submitted to the Board by BMX Australia.

2.06.02 Where a national team is under the direction of a specific sub-discipline, gender or age-group coach, that coach will be co-opted as a member of the Selection Committee having responsibility for selection of that respective national team.

2.06.03 The High Performance Manager is responsible for the facilitation and convening of selection committee meetings and will act as chairperson in a non-voting capacity.

2.06.04 The Chairperson will coordinate the meetings of Selection Committee and the distribution to that committee of any data relevant to the selection of the respective national team.

2.06.05 Where a member of a Selection Committee is unavailable or there is deemed to be a conflict of interest in considering the merit of a particular athlete, that member shall stand down from the committee and an alternate selector may be temporarily co-opted onto the committee as determined by the President and Chairman of Selectors.



- 2.06.06 A CA competitor who is under consideration for national team selection is ineligible for appointment to a selection committee.
- 2.06.07 A person, if so elected, may be a member of more than one selection committee.
- 2.06.08 The drafting of national selection policy and criteria for all national teams is the responsibility of the High Performance Manager in coordination with national coaches and selection committee members. Such documentation shall be finally endorsed by the High Performance Management Committee by 1 December of the year preceding that in which the selection policy and criteria are to be effective. A draft policy and criteria will be available for circulation to athletes by 1 September of that preceding year.
- 2.06.09 The High Performance Management Committee must endorse the selection of a national team or squad prior to release.
- 2.06.10 It is the responsibility of the High Performance Manager or respective national coach, to advise all athletes of their selection in national teams or squads.
- 2.06.11 The advice of selected national teams or squads to the public can only be released with the approval of the President or CEO

## **2.07 MULTI DISABILITY CYCLING**

### **2.07.01 Athletes with Disabilities**

1. CA where possible, endorses an inclusive policy in regard to the participation of athletes with disabilities (AWD). AWD are able to participate in mainstream cycling through several different aspects of the sport. AWD who already ride bikes, such as amputees or mildly affected cerebral palsy (CP) athletes should quite readily be able to fit into the club-racing scene. Some minor adjustment for grading may be required to allow for the effect of the disability and adaptation to the bicycle.
2. Other avenues of involvement that are available specifically for AWD include tandem racing for the vision impaired, and tricycle racing or hand cycling for the more severely affected CP athletes.
3. AWD may be able to participate in all aspects of cycling including; road, track and mountain biking, with the exception of tricycle racing, which is restricted to road events over various distances. (Refer to Technical Regulations)

### **2.07.02 Athlete Pathway**

1. All AWD and licensed AWD are eligible to trial for State championships in their specific disability group to gain State selection for National track/road championships. These State and National championships are normally held in conjunction with able-bodied competition.
2. Selection to the National team is based upon specific selection criteria to meet the Paralympic Preparation Program (PPP), which is managed as one of the Federations high performance programs and supported by the Australian Paralympic Committee (APC).

3. National team selection qualifies the athlete for coaching and other benefits as determined and required by the Federation's Head Disability Cycling Coach and in conjunction with State Institute scholarship programs, as applicable.
4. The objective of the PPP is to prepare athletes whom are deemed to have potential to win medals at world championships or Paralympic Games and to provide the environment to achieve these goals.

### 2.07.3 **Rules and Regulations**

1. Athletes must hold a current CA racing licence, and for both National and international competition belong to their particular disability National sporting organisation.
2. All athletes are required to adhere to UCI and IPC (International Paralympic Committee) Rules and Regulations (Section 9 in the CA Technical Regulations).

### 2.07.4 **AWD Licences**

All AWD shall have their licences endorsed with the appropriate classification of disability (ie LC1 or CP4).

## 2.08 **CODE OF CONDUCT**

2.08.01 The Board of Management shall endorse a Code of Conduct, which shall be applicable to all members (refer Annexure B 'Code of Conduct').

2.08.02 Any breach of the Code of Conduct by a member may be referred for disciplinary action in accord with Rules 2.10, 2.11, 2.12 and 2.13.

### 2.08.03 **Member Protection Policy**

The Board of Management shall endorse a Member Protection Policy, which shall be applicable to all members (refer Annexure D 'Member Protection Policy').

2.08.04 Any breach of the Member Protection Policy by a member shall be dealt with in accord with the provisions of the Member Protection Policy.

## 2.09 **ANTI DOPING POLICY**

2.09.01 The Board of Management shall endorse an Anti Doping Policy, which shall be compliant with the World Anti Doping Code (WADA) and be applicable to all members (refer Annexure C 'Anti Doping Policy').

2.09.02 Any breach of the Anti Doping Policy by a member shall be dealt with in accord with the provisions of the Anti Doping Policy.

## 2.10. **DISCIPLINARY MATTERS – GENERAL PRINCIPLES**

2.10.01 Pursuant to the provisions of Rule 1.17 of the CA Constitution the Board of Management at its sole discretion may deal with any matter of discipline or complaint, broadly referred to as *misconduct*, in accord with the following procedures.

- 2.10.02 Allegations of *misconduct* by a member may be dealt with by
1. An *official* of the federation as defined in By-Law 2.11.02.
  2. A *disciplinary tribunal* appointed by the Board of Management
- 2.10.03 In determining allegations of misconduct an official or disciplinary tribunal will provide all parties affected by the allegations a right to a fair hearing and will respect the following principles:
- a timely hearing;
  - a fair and impartial hearing;
  - the right to seek advice from counsel at the expense of each party;
  - the right to be fairly and timely informed of the allegations;
  - the right to respond to the allegations and resulting consequences;
  - the right of each party to present evidence, including the right to call and question witnesses;
  - a timely and reasoned decision
  - the right to an Appeal (Refer By-Law 2.15)
- 2.10.04 During a hearing of a disciplinary matter, the parties are not permitted to be represented by a qualified legal advocate. The parties may seek legal advice and assistance in presenting written submissions. The parties may be assisted in a hearing by another adult who is not legally trained. In the case of minors it is mandatory that they are accompanied by an adult who can assist in representing their interests.
- 2.10.05 The disciplinary tribunal or an official shall have the power to impose all or any of the following penalties on any member or members
- 1 A reprimand or warning
  - 2 Suspension from any competition or termination of membership of a team for a specified period of time
  - 3 Termination of membership of CA and its affiliates for a specified period of time
  - 4 Monetary fines of any specified amount payable within any specified period of time
  - 5 Forfeiture of any competition prizes as specified
  - 6 Any other disciplinary action in accordance with the objects of the Federation as per Rule 1.17 of the Constitution.
- 2.10.06 During disciplinary proceedings a member may continue to participate in the sport subject to the provisions of Rule 1.17.3 of the CA Constitution.

## **2.11 DISCIPLINARY MATTERS - DEFINITIONS**

- 2.11.01 "Misconduct": Without limiting the generality thereof, misconduct shall include:
- 1 Offences against the law of the Commonwealth of Australia or a State or Territory thereof
  - 2 Offences against the law of a Country, State, Territory, Province, Town or Village beyond the shores of the Commonwealth of Australia

- 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 1 above
- 4 Conduct, which is detrimental to CA and/or contrary to the Code of Conduct of CA
- 5 Conduct, which is detrimental to the sport of cycling
- 6 A member who at any time disobeys the reasonable directions of an official and where such disobedience may lead to a breach of the Code of Conduct; or impede the conduct of the sport; or compromise the safety of members or other persons

2.11.02 "Official": means any person who for the purpose of the Disciplinary Matter is endorsed by the Board of Management as an official, including;

- 1 The Office Bearers or Executive members of CA or a constituent association
- 2 The Chief Commissaire appointed to an event by CA or an affiliated body
- 3 A Manager of a State or National team
- 4 The CEO or Executive Officer of CA or a constituent association
- 5 An employee or member of CA who has been endorsed by the Board to hold a position of authority or responsibility over the behaviour or actions of other members

2.11.03 "Disciplinary Tribunal": where an allegation of misconduct

- a) is unable to be dealt with by an official in accord with the principles of Rule 2.10.03; or
- b) has been formally brought to the attention of the Board in regard to an individual member or members or an affiliated entity

the Board will appoint a disciplinary tribunal to adjudicate upon the allegations. The constitution of a disciplinary tribunal shall be:

- 1 An individual with a high level of legal training and experience in arbitration; or
- 2 A panel of two (2) or three (3) persons deemed suitable by the Board of Management whereby a chairperson shall be appointed with experience in legal process or dispute resolution.
- 3 No member of the disciplinary tribunal pursuant to sub clauses 1 and 2 may have been a party to or directly interested in the matter under consideration
- 4 Members of the Board of Management may be appointed to a disciplinary tribunal, subject to sub clause 3.

## **2.12 DISCIPLINARY MATTERS – PROCEDURE**

The procedure for dealing with allegations of misconduct shall be as follows when dealt with by:

### **2.12.01 An Official**

- 1 An official may deal with an offence if;
  - a) He observes conduct which in the opinion of the official constitutes misconduct
  - b) A complaint is made either orally or in writing to him by a third person alleging an act of misconduct
- 2 On observing misbehaviour or on receipt of a complaint being made to him by a third person, the official may as soon as possible charge the member with an offence by informing the member of the offence and the facts constituting the offence. The member shall then be permitted to answer the charge
- 3 The official may then deal with the offence forthwith pursuant to the provisions of Rule 2.10
- 4 If, as the circumstances may be, the official is unable to deal with the matter within seven (7) days of the occurrence of the offence, they may then refer the matter to the Board of Management to be dealt with pursuant to the provisions of Rules 2.11.03 and 2.12.02.
- 5 At the conclusion of the hearing the official shall:-
  - a) Dismiss the charge, or
  - b) Find the charges proven and impose a penalty within the provisions of Rule 2.10.05; advise the parties of the reasons for the finding and penalty; and advise the person penalised of the right to an appeal.

### **2.12.02 A Disciplinary Tribunal**

- 1 Formal advice to the Board of complaint or allegations of misconduct shall be forwarded to the CEO in writing. The CEO will inform the Board without delay.
- 2 A disciplinary tribunal will be appointed in accord with Rule 2.11.03 within seven (7) days of formal receipt of the allegations.
- 3 The disciplinary tribunal will schedule a date and venue for a hearing within twenty-one (21) days of receipt of the allegations. An extension beyond this period may be allowed with the mutual agreement of the parties.
- 4 If, as the circumstances may be, any party is unable to be present at a hearing, they may participate by tele-conference or other medium as determined by the disciplinary tribunal.
5. The parties will be advised of the charges brought as a result of the allegations and invited to lodge written submissions which must be received by the CEO no later than two business days prior to the scheduled hearing. The CEO shall ensure that all written evidence and submissions are distributed to all affected parties and the disciplinary tribunal in a timely manner prior to the hearing.

- 6 The disciplinary tribunal may then deal with the offence forthwith pursuant to the provisions of Rule 2.10.
- 7 The disciplinary tribunal may adjourn a hearing to obtain further information or evidence, or if a charge of misconduct has been found proven, to seek further submissions before imposing a penalty.
- 8 At the conclusion of the hearing the disciplinary tribunal shall:-
  - a) Dismiss the charges, or
  - b) Find the charges proven and impose a penalty within the provisions of Rule 2.10.05; advise the parties of the reasons for the finding and penalty; and advise the person penalised of their right to an appeal.

2.12.03 An official or disciplinary tribunal must forward to the CEO a written report outlining their determination of the matter within seven (7) days of the conclusion of the hearing.

### **2.13 DISCIPLINARY MATTERS – IN COMPETITION**

2.13.01 In competition, the Chief Commissaire may issue a penalty to a member for an offence against the rules of racing (Technical Regulations) or in determining a protest in accord with Technical Regulation 3.25.

2.13.02 At an Australian Championship, a member who has suffered a penalty pursuant to Rule 2.14 during competition, shall have the right of appeal to the Chairman of the Appeal Jury (Refer Technical Regulation 3.27).

2.13.03 For all other events where an Appeal Jury has not been constituted, an appeal against a penalty issued in competition must be directed to the Race Jury, consisting of the Chief and Principal Commissaires.

2.13.04 A member who has suffered a penalty pursuant to Rules 2.13.01/02/03, may appeal to the CA Board of Management in accord with the provisions and procedures of Rule 2.15.

### **2.14 PENALTIES**

2.14.01 As a result of disciplinary procedure in accordance with these By-Laws penalties may be imposed upon members found guilty of misconduct or breach of technical regulations pursuant to Rule 2.10.

2.14.02 Each case shall be determined on its merit and circumstances and penalties shall be imposed giving consideration to the degree of intent or malice or any extenuating circumstances associated with the act of misconduct or breach of technical regulations. (Refer schedule 1 and 2 for penalty guidelines)

#### **2.14.03 Monetary Fines**

1. A fine may be imposed to a maximum amount as determined by the Board of Management.
2. The payment of fines shall be forwarded to the CA office by a date stipulated by an official or tribunal.
3. Any member who fails to pay a fine or penalty by the stipulated date will have their membership terminated for such period until the fine is paid.

**2.14.04 Termination of Membership of CA**

- 1 The start of a period of termination of membership shall commence from the date of the decision unless otherwise stipulated in accord with sub-clause 2 below.
- 2 The period of termination shall be enforced during a period of normal activity for the party concerned. For that purpose the period of termination may be spread over a period or periods of the year as stipulated by an official or tribunal.
- 3 A member upon receiving advice of a penalty including a termination of membership shall surrender their license to CA.
- 4 During the period of termination all membership rights are forfeited and the person concerned is not permitted to enter the field of play of a competition venue during competition periods.
- 5 The period of termination of membership must expire before the person concerned is permitted to compete or officiate again at any level.
6. If a further act of misconduct is alleged to have been committed during a period of termination of membership, the period of termination may be extended until the new allegations are dealt with in accord with the disciplinary provisions of these By-Laws.

**2.14.05 Suspended Penalties**

Where an official or a tribunal deem an offence to be as a result of or influenced by extenuating circumstances, all or part of the penalty imposed may be suspended and the person be required to enter into a stipulated period of good behaviour. Any further act of misconduct committed during such a period will automatically invoke the original penalty in addition to any further penalty imposed as a result of the subsequent act of misconduct.

2.14.06 CA will advise the Constituent Association of the respective member of any penalty imposed against that member as a result of a disciplinary process implemented in accord with these By-Laws.

2.14.07 When a Constituent Association fails to enforce a penalty imposed upon one of its members that Constituent Association shall be subject to such penalty as the CA Disciplinary Committee shall decide.

**2.15 APPEALS**

2.15.01 An Appeal Tribunal may be appointed by the Board of Management to hear and adjudicate on any appeal lodged by a member or an affiliated entity against the decision of:

- 1 An official or disciplinary tribunal established pursuant to Rules 2.10 and 2.11.
- 2 A Constituent Association or tribunal set up by a Constituent Association.
- 3 An official or race jury regarding an offence in competition.

**2.15.02 Grounds for an Appeal**

An appeal may only be lodged by a party directly affected by a decision and where such an appeal is based on the following grounds;

- 1 A member or affiliated entity was not provided with a fair hearing or a proper process was not followed.
- 2 New information or evidence can be presented that was not available at the time of the original decision being appealed against.
- 3 Severity or leniency of penalty imposed.

**2.15.03 Appeal Tribunal**

The Board will appoint an appeal tribunal to determine an appeal lodged in accordance with the provisions of this Rule. The constitution of an appeal tribunal shall be:

- 1 An individual with a high level of legal training and experience in arbitration; or
- 2 A panel of two (2) or three (3) persons deemed suitable by the Board of Management whereby a chairperson shall be appointed with experience in legal process or dispute resolution.
- 3 No member of the appeal tribunal pursuant to sub clauses 1 and 2 may have been a party to or directly interested in the decision under appeal or the original matter brought for determination.
- 4 Members of the Board of Management may be appointed to an appeal tribunal, subject to sub clause 3.

**2.15.04 Appeals Process**

- 1 Formal advice to the Board of an appeal against a decision pursuant to Rule 2.15.01 shall be forwarded to the CEO in writing within fourteen days of formal advice of the decision being appealed. The CEO will inform the Board without delay.
- 2 The lodgement of appeal must be accompanied by payment of an appeal fee as determined by the Board of Management. The fee shall be fully refundable if the appeal is successful.
- 3 The Board shall determine whether the appeal falls within the grounds for appeal pursuant to Rule 2.15.02. If satisfied, an appeal tribunal will be appointed within seven (7) days of formal lodgement of the appeal.
- 4 The appeal tribunal will schedule a date and venue for a hearing as soon as possible and no later than twenty-one (21) days after formal lodgement of the appeal.
- 5 If, as the circumstances may be, all parties are unable to be present at an appeal hearing, they may participate by tele-conference or other medium as determined by the appeal tribunal.



6. The parties will be advised of the grounds for appeal and invited to lodge written submissions which must be received by the CEO no later than two business days prior to the scheduled hearing. The CEO shall ensure that all written submissions are distributed to all parties and the appeal tribunal in a timely manner prior to the hearing.
7. The appeal tribunal may then deal with the offence forthwith adhering to the principles of a fair hearing as broadly outlined in Rules 2.10.03/04.
8. The appeal tribunal may adjourn a hearing to obtain further information or evidence.
9. At the conclusion of the hearing the disciplinary tribunal shall:
  - a) Uphold the appeal and rescind the original decision, or
  - b) Dismiss the appeal; or
  - c) Dismiss the appeal and review the penalty within the provisions of Rule 2.10.05;
10. The decision of the appeal tribunal shall be final.
11. The appeal tribunal must forward to the CEO a written report outlining their determination of the matter within seven (7) days of the conclusion of the hearing.

## **2.16 FEES**

2.16.01 The Board of Management shall determine and advise Constituent Associations of a full list of fees by no later than 15 September of the year preceding that to which the fees apply. Such fees may include:

- 1 Constituent Associations affiliation fees
- 2 The national component of membership fees by category, for each individual member who affiliates with the Federation through an affiliated club and/or Constituent Association
  - 1 Protest and appeal fees
  - 2 Restricted and temporary permit fees for non-members
  - 3 International licence fee
  - 6 Entry fees for championships, where applicable
  - 7 Maximum fine
  - 8 Race patronage/calendar/bonds fees
  - 9 Commissaires daily expenses
  - 10 Promoters licence fee
  - 11 Any other fee as may be required from time to time

Note: A fee schedule shall be advised to all Constituent Associations within 7 days of determination.

2.16.02 The CA office shall at the end of each month invoice each Constituent Association for capitation fees for that month, as determined by registrations onto the national membership database for that period.

2.16.03 The affiliation fees for each Constituent Association will be determined annually at \$1 per member based on the number of members per State at the end of previous membership year. A minimum fee of \$250 will be charged.

2.16.04 The Federation may charge interest at the rate determined from time to time by the Board of Management on any amounts due and payable to it from a

Constituent Association or other commercial debtor, including interest imposed by virtue of this paragraph, which have not been paid to the Federation on the date on which they were due, and such interest shall accrue from the date on which those amounts were due and payable and be charged monthly.

- 2.16.05 For the purpose of Rule 2.16.03 & 04 above, if a Constituent Association has amounts outstanding for unpaid affiliation or unpaid interest charged on amounts due and payable, that Constituent Association shall be deemed to be un-financial, and will not regain its rights and privileges until such time as the amounts payable, including the interest charges, is paid to the Federation.

## **2.17 LICENCES**

- 2.17.01 The licence is an identity document relating to the administration of the sport, which shall be required by all members of the Federation ie competitors, motor pacers, team managers, coaches, mechanics, handlers, promoters, delegates and any other person associated with a team, organisers and officials.

- 2.17.02 Any person who holds a position of office with the Federation, Constituent Association or affiliated club, must hold a licence.

- 2.17.03 The purpose of the licence is to indicate that the holder has undertaken to respect the Constitution, By-Laws and Regulations of the Federation and sub-groups.

- 2.17.04 The Federation shall not incur any responsibility whatsoever upon the issue of a licence.

- 2.17.05 All members of the Federation shall be issued with a licence annually and by virtue thereof, shall assume the following obligations:

1. Respect all international and national statutes and regulations
2. Participate in cycling competition in a sporting and fair manner
3. Submit to any disciplinary measures taken in accordance with the regulations
4. Submit to any medical examination as provided for in the national and international regulations
5. Submit any appeals or disputes to the bodies provided for the national and international regulations for final settlement
6. Undertake to respect national and international licences for the duration of the period for which the licence is renewed

- 2.17.06 1 The following information must appear on a licence issued for domestic membership:
- Full name
  - Date of birth
  - Home address
  - Membership number
  - Name of club
  - Category
  - Signature of the bearer

- 2 The information printed on an international licence must be in accord with UCI Regulations.
- 2.17.07 Licences shall be issued in accordance with the Licensing of Members schedule (Rule 2.18.06).
- 2.17.08 It is the responsibility of the member to sign the licence on receipt thereof and maintain the licence in a respectable condition.
- 2.17.09 1 The colour of an international licence shall be as determined each year by the UCI colour code for all licences.
- 2 A licence issued for domestic membership must be a different colour to that of the international licence issued in that year.
- 2 All licences shall expire on 31 December each year.
- 2.17.10 Constituent Associations must in December of each year, return to the Federation office, all unused licences/permits or records of people who participated in events under the auspices of CA under temporary or special licences/permits.
- 2.17.11 Persons transferring between Constituent Associations must provide a clearance from the previous Constituent Association to the new Constituent Association before affiliating. Once endorsed, transfers must be recorded with the CA office.
- 2.17.12 **International Endorsement**
- When a rider decides to compete overseas, he must complete a CA International Licence application form and forward to the CA office for processing.
- 2.17.13 The licence shall be endorsed by the signature of the President.
- 2.17.14 The Federation shall return the endorsed licence to the rider and record its issue in the database.

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

## **2.18 LICENSING OF MEMBERS**

- 2.18.01 Persons who wish to join the Federation or renew membership must complete a registration form which is issued by Constituent Associations or the Federation. Registration forms must be signed and must relate to the year for which they will be issued.
- 2.18.02 All competitors, officials, coaches, motor pacers, mechanics or non-racing members shall be registered on the national database and issued with a CA licence.
- 2.18.03 CA restricted competition permit may be issued for specific events as approved by CA or respective Constituent Association. Such fees as determined by the Board of Management shall be charged for restricted permits. Such permits shall be the property of CA and issued by the promoting entity.

2.18.04 Holders of restricted licences shall not be eligible to compete in Australian Championships or National Series events. Constituent Associations shall determine the State events for which restricted permits may be issued and must administer and control the issue of such permits.

2.18.05 Constituent Associations who fail to administer and control the issue of restricted permits may be penalised.

2.18.06 **Licensing of Members: Schedule**

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

Category	Age Year
Elite and M Under 23	19
Men and Women	19
Junior JM19 JW19	17
JM17 JW17	15
JM15 JW15	13
J13	11
J11	10
J9	Up to the completion of the calendar year in which he reaches 8 years of age.

All junior divisions relate to male and female  
J13 and below are non gender specific

Masters Men/Women	Division 2	35 - 39
	Division 3	40 - 44
	Division 4	45 - 49
	Division 5	50 - 54
	Division 6	55 - 59
	Division 7	60 - 64
	Division 8	65 - 69
	Division 9	70 Plus

2.18.07 A cyclist reaching masters age, may elect to have an elite licence or a masters licence. If so desired at any time the cyclist may relinquish either the masters licence or the elite licence but can only use this option once in a membership year. At all Championships cyclists must only compete in the category which is endorsed on their licence and can only compete in one Australian Championship in each event/discipline.

2.18.08 Constituent Associations may require masters to compete in Constituent Association promotions when there are masters events listed.

2.18.09 1 A cyclist may compete in an event of a different age category, older category in the case of junior and younger category in the case of masters, provided such events are approved by CA or a Constituent Association.

2 Where there is deemed to be insufficient entrants in women's categories then the events may be contested in divisions as follows:

Masters Women	Division 2 + 3	35 - 44
	Division 4 + 5	45 - 54
	Division 6 + 7	55 +

- 3 In Masters Championship events older age groups may compete with younger age groups in a younger age category when there are insufficient starters for a particular age championship category event.

2.18.10 At any National Championship in the junior under 15 age division for both men and women the age limit shall be that the cyclist must be attaining the age of 13 or 14 in that current year.

2.18.11 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 track season in that higher age category from the commencement of that season, being 1 October.

2.18.12 **Derny Riders:** (track only)

1. Members who compete in Derny events on a Derny machine must be issued an adult competitor licence (Derny riders are considered as competitors as they receive the same awards as a competitor.)
2. To qualify as a pacer/competitor in a Derny event that person must be competent to ride a Derny machine or motorbike and have undergone a Derny training session, which has been endorsed by CA
3. Before competing in a Derny event that person must produce his licence and a written document endorsed by CA that he has attended and passed the training session before he may participate
4. Must wear an approved cycling helmet

2.18.13 **Motor Pacer:**

A Motor Pacer may be a person who:

1. Paces a keirin or any motor paced event on the track (other than Derny events)
2. Rides a motorbike or Derny for training on the track
3. Rides a motorbike or Derny for warming up competitors prior to competition
4. A motorcycle rider must wear an approved motorcycle helmet when participating in all events and warm up competition prior to competition
5. A Motor Pacer must hold at least a CA Non Racing Licence
6. A Motor Pacer must hold a current Motorcycle Licence

2.18.14 A rider of a motorcycle acting as a marshal or support vehicle in a road race or lead vehicle in a mountain bike cross country event, must hold a current motor cycle licence and wear an approved motor cycle helmet.

## **2.19 PROMOTER'S LICENCE**

2.19.01 A promoter shall be deemed to be one of the following:

- 1 An affiliated club
- 2 A Constituent Association
- 3 An individual member who has applied for and been granted a promoters licence
- 4 An organisation or company, of whom at least one principal is an individual member of CA, that has applied for and been granted a promoters licence

2.19.02 Any member of the Federation who wishes to promote events in any discipline, as an individual or as a member of an external organisation or company, must apply for and be granted a promoter's licence issued by CA. Such licences shall only be granted to those who have demonstrated their ability to promote events in a professional and ethical manner.

2.19.03 An annual fee shall be charged - such fee being decided by the Board of Management.

2.19.04 A promoters licence issued by CA is the only promoters licence recognised by CA.

## **2.20 RESPONSIBILITY OF PROMOTERS**

2.20.01 A licensed promoter shall agree to:

- 1 Seek Federation approval to conduct such events or promotions under the control of the Federation or its constituent associations. Such approval will be granted subject to:
  - An undertaking by the promoter to conduct such events pursuant to the rules and regulations of the Federation and/or its affiliates
  - Obtaining a Certificate of Currency from the Federation's insurance underwriter. Such a certificate will only be issued subject to the promoter submitting a risk management plan (and traffic management plan for road events) at least three months prior to the event with the endorsement of the respective Constituent Association; and those plans being accepted by the underwriter
- 2 Pay the established fees as required.
- 3 Advise the Federation and/or constituent associations the names of major and event sponsors so that direct conflict with Federation sponsors is avoided.
- 4 Advise the Federation and/or Constituent Associations of all details of the events/promotion, which shall include but not be limited to:
  - Dates of the events/promotion, as well as start times
  - Entry fees and closing dates of entries
  - Address for the closing of entries
  - Total list of prize money

- 5 Liaise and cooperate with Constituent Associations on all matters relating to the promotion and in particular the state and national calendars of events.

2.20.02 The Federation may request the promoter to deposit the prize money with the Federation office 30 days before the date of the advertised events/promotion. Such prize money to be held in trust until the event/promotion, and paid out by the Federation if necessary. Failure to comply with this direction when given shall be sufficient reason to cancel patronage for the event/promotion.

Where the licensed promoter is a corporate entity, it must provide the name of a nominated person responsible for the conduct of the event/promotion and compliance with the relevant regulations. This person must be a member of the Federation.

2.20.04 A licensed promoter must at all times respect the rules and regulations of the Federation. In particular he shall, when promoting an event under the patronage/approval of the Federation or Constituent Association, ensure that all competitors and team support personnel are licensed members of the Federation. For UCI calendar events the UCI regulations pertaining to events and licensing shall apply.

2.20.05 A licensed promoter must comply with the CA policy to cooperate with an official testing authority with regards to the collection of competitors urine and/or blood samples in and out of competition for the purpose of drug testing. This particularly applies to any requirements and obligations that the Federation may have in place with the Australian Sports Drug Agency, the UCI or other testing authority recognised by the World Anti Doping Authority (WADA) for such collection.

2.20.06 Where licensed promoters do not respect the rules of CA and its Constituent Associations they may be penalised as follows:

1. Withdrawal of sanction of the event
2. Fine in addition to the withdrawal
3. Suspension of the promoters licence
4. Application of a combination of any/all of the above

## **2.21 EVENT ORGANISERS**

2.21.01 Organisers of events, which are sanctioned by CA or Constituent Associations, must be members of the Federation, if they are not already a licensed promoter. Event organisers are also bound by the rules that relate to Promoters (Rule 2.20)

## **2.22 CONDUCT OF CYCLING ACTIVITIES**

2.22.01 The conduct of cycling activities in each State area shall be governed by the respective Constituent Association except such events that are conducted under the patronage of the Federation. (eg National Championships and Series events).

## **2.23 RESPONSIBILITY OF EVENT ORGANISERS**

- 2.23.01 Notwithstanding the requirements of Rule 2.21 it is an offence to allow unlicensed competitors or non-permit holders to participate in an event, which is sanctioned by the Federation or a Constituent Association.
- 2.23.02 All parties under the Federation's jurisdiction including but not only Licensed Promoters, Constituent Associations and their affiliates, licensees and officials who or which allow non Federation licensed competitors or permit holders to participate or compete in an event, which is sanctioned by the Federation, shall be liable to disciplinary action under the Federation rules.
- 2.23.03 Prize money won by a member when competing in any event shall be paid to the competitor on the day of the event, unless the event is subject to drug testing, where the prize money may be withheld subject to the results of the testing.

## **2.24 ILLEGAL EVENTS**

- 2.24.01 An illegal event shall be defined as an event that has not been registered with and sanctioned by CA or an affiliated Constituent Association.
- 2.24.02 An event shall be retrospectively declared illegal when it is known that competing riders do not hold a CA licence or permit.
- 2.24.03 The approval of an event by CA shall be withdrawn (even after the event has concluded) when the promoter/organiser of an event has allowed knowingly or unknowingly, the participation of riders who do not hold a CA licence or permit in an event under their control.
- 2.24.04 Constituent Associations and their affiliates, licensees and officials that conduct illegal events shall be liable to disciplinary action under the Federation Rules. Furthermore an illegal event will not be insured under the Federations insurance policy.
- 2.24.05 No licence holder may participate in a competitive cycling event that has not been sanctioned by Constituent Associations. CA may grant special exceptions for races or particular events.
- 2.24.06 Breaches of any of these By-Laws may render the licence holder liable to suspension and or a fine.

## **2.25 FEDERATION EVENTS**

### **2.25.01 Australian Championships**

- 1 The Track, Road and Mountain Bike Championships and CA National Series events in all age categories are the property of the Federation.
- 2 The venues of all Australian Championships Series shall be allocated two years in advance from the applications or bids received.
- 3 The bid documents must be forwarded to the CA office accompanied by general details of the proposed courses, facilities and other information sought by CA.



- 4 The venue, promoter, promoting body/organisation shall be endorsed by the Board of Management, which shall consider the proposal submitted to them and recommendations by the respective Discipline Commission.
- 5 The appointed promoter will be responsible for the general organisation of the particular championships in accordance with the provisions of the Hosting Agreement.

## **2.26 HOSTING AGREEMENT**

2.26.01 Where the Federation has granted the right to a registered promoter or affiliate body to host an Australian Championship, the Federation will negotiate and execute a Hosting Agreement with that party setting out all operational, commercial and technical details for the conduct of the respective championships. Such an agreement will set out the respective roles and obligations of all parties concerned.

### **2.26.02 Championship Officials**

- 1 The officials at all Australian Championships shall be determined by the Technical Commission giving consideration to the requirements of the Technical Regulations and the minimum appropriate appointments required to ensure the safe and efficient conduct of the Championships.
- 2 The Board of Management shall endorse all Australian Championship officials.
- 3 The Chief Commissaire must have had at least two years experience as a Federation official and be a CA Level 3 Commissaire or UCI Commissaire.
- 4 All Australian Commissaires who are current members and have Level 2 or Level 3 officiating accreditation will be eligible to officiate at an Australian Championship and may apply for these positions in Rule 2.26.02.01 when and where these positions are available.

## **2.27 NATIONAL SERIES RACES**

2.27.01 Applications to conduct National Series events must be received by the Chief Executive Officer of CA at a time specified by the Board of Management in the year preceding the event, to ensure placement on the calendar of national events for the next year.

2.27.02 The bond and calendar fee as determined by the Board of Management, must accompany the application.

2.27.03 The race/promotion will be controlled by a minimum of one CA qualified Commissaire (Chief) and three other CA/State Commissaires.

2.27.04 For national category 1 events, the Chief Commissaire shall be appointed by the CA Technical Commission.

2.27.05 The Chief Commissaire shall be entitled to daily expenses as determined by the Board of Management. Such expenses shall be paid by the promoter.

Where the appointed Chief Commissaire resides more than 100 kilometres from the race/promotion, he shall be entitled to travel and accommodation costs. Such costs shall be borne by the promoter.

2.27.07 Each Discipline Commission shall be responsible for the proper conduct of each event of their National Series. The rules relating to these events must be endorsed by relevant Discipline Commissions and advised no later than six months before the commencement of the series.

## **2.28 INTERNATIONAL RACES**

2.28.01 International races are invitation races in which teams or riders representing foreign Federations compete. An international race requires representatives from at least three other National Federations and must be listed on the UCI calendar.

2.28.02 Applications to conduct international race permits must be submitted to the Chief Executive Officer by 15 April of the year preceding the year in which the race is to be held. The applicants must agree to pay any race calendar fees to the UCI and CA as required when due. Applications must demonstrate that:

- 1 Due regard will be given to the requirements and rules of the UCI and the Federation, applicable to the competition rules which may change from time to time.
- 2 The competition will be conducted by qualified appointed officials.
- 3 Proper medical supervision will be provided for athletes who participate in the competition.
- 4 Proper safety precautions will be taken to protect the personal welfare of the athletes and spectators at the competition.
- 5 There will be funds to responsibly meet the financial obligations of the competitions and sufficient staff to properly and adequately organise the competition.
- 6 They undertake to comply with drug testing obligations including any associated costs.

2.28.03 The Federation Board of Management shall promptly review each such application and if there is no clear and convincing evidence that holding the race would be detrimental to the best interests of the sport, it shall request that the race dates be approved by the UCI for placement on the international calendar.

2.28.04 When a date conflicts between a proposed international race and a race for which the national team will be eligible or entered, whether within or outside Australia, or between two proposed races within Australia, where the events are the same kind of competition (road or track) within the Federation, the matter will be referred to the Board of Management for decision.

2.28.05 If required by the Federation, the promoter must deposit the prize list with the Federation no later than 30 days prior to the start of an international event. Failure to satisfy such account when required shall be sufficient reason for cancellation of the race permit.

## **2.29 NATIONAL TEAMS**

### **2.29.01 Team Manager's Duties**

- 1 The Team Manager shall represent the team in whatever events the team enters and shall look after the interests and general welfare of the members of the team including accommodation, food, transportation, uniforms and recreation. The manager shall also enforce the rules of the Federation. The team members shall have the right to appeal against the enforcement of such rules.
- 2 The Team Manager is responsible for final entry and registration of athletes at events. The Team Manager shall be the first point of contact and principal liaison between competition organisers and the team.
- 3 Where a Team Manager (or other team official) is issued Federation funds for purposes associated with team expenses a report and acquittal with relevant supporting documentation shall be submitted to the CA office within sixty (60) days of the last day of competition for team members.
- 4 The Team Manager shall present a written report on the activities and performances of the team to the CA Chief Executive Officer within 60 days of the last day of competition for team members.

### **2.29.02 Team Coaches**

Only persons approved by the Federation may coach the team during its preparation and competition.

2.29.03 The national team coaches shall have responsibilities including, but not limited to:

- 1 Development and conduct of programs to improve the competitive performance of national team members.
- 2 Setting up the training program, practice and competition schedule for the national team.
- 3 Advising and coaching candidates for teams and members of teams in the techniques and strategies of their competition.
- 4 The team coach shall submit a written report on the performances of the team to the CA Chief Executive Officer within 60 days of the last day of competition for team members.

### **2.29.04 Team Members - Eligibility and Responsibilities**

To be eligible for selection in National Teams, cyclists must have:

- 1 Australian citizenship.
- 2 A current licence issued by the Federation or another federation affiliated with the UCI with the nationality marked as 'AUS'.
- 3 Complied with all obligations as set out in the Team Agreement and its appendices, including but not limited to the Selection Policy and Criteria.

- 2.29.05 All members of national teams and all persons to whom a special uniform has been issued, shall be subject to the jurisdiction of the Federation. They shall conduct themselves at all times and in all places as befits worthy representatives of their country and the Federation.
- 2.29.06 No licensee may be a member of a Federation team if that individual has a prior agreement, which requires the use of certain brands or types of equipment or clothing while functioning as a national team member.
- 2.29.07 Competitors shall be under the strict supervision of the national team managers and coaches. By accepting membership of the national team, athletes agree to do the following:
- 1 Have signed or sign a Team Agreement document accepting the conditions therein.
  - 2 Conform to the National Team Agreement, Selection Policy and Criteria, Anti-Doping Policy, Code of Conduct, Discipline Policy, Member Protection Policy and other such policies as issued by CA.
  - 3 Maintain their eligibility to enter competition governed by the UCI, IOC or CGF.
  - 4 Prepare and condition themselves for the events and specialties for which they have been selected as team members.
  - 5 Take part in all training sessions, camps and courses established for the team unless excused.
  - 6 Compete in designated events to the best of their ability when directed to do so by the Federation.
  - 7 Arrange their education, employment and personal responsibilities to fulfil their obligations as team members, as far as it is reasonably possible.
  - 8 Abide by team regulations as issued from time to time by the Federation, including but not limited to any special curfew or rules of conduct established at training camps and competitive programs.
  - 9 Competitors or management personnel selected for Commonwealth Games or Olympic Games will automatically come under the structure and conditions of the CGF or the IOC.

**2.29.08 Team Membership - Dismissal**

CA national squad/team personnel, including riders, trainers, coaches and mechanics, who do not adhere to the provisions as outlined in the Team Agreement as mentioned in 2.29.09.1 above, may be disciplined by the squad/team manager or the Board of Management. Such disciplinary action may include but not be limited to:

- 1 Admonishment
- 2 Dismissal from the team
- 3 A monetary fine up to a maximum as determined by the Board of Management

4 A combination of any of the above

2.29.09 Where a national team includes female athletes, the official management of that team must include at least one female member.

## **2.30 SPONSORSHIPS**

2.30.01 Sponsorships may be approved by:

- 1 The Board of Management for national squads or teams and national events.
- 2 A Constituent Association for competitors who represent their State or are a member of a State team or squad.
- 3 A club for any competitor as:
  - a) An individual - Individual Sponsorship
  - b) A member of a group - Group Sponsorship
  - c) A club member - Club Sponsorship
- 4 CA or Constituent Associations for special events or classics, where the conduct of such events relies on such support to conduct them.

2.30.02 Individuals, groups and clubs may enter into agreements with sponsors. The agreements shall allow for the wearing of advertising on the club's uniform as outlined in the Technical Regulations, rules 3.7.02, 3.7.03 and 3.10.

2.30.03 The sponsorship agreement must provide for some benefits to the competitor in either cash or in-kind.

2.30.04 No limit shall apply to the number of sponsors a rider or club may enter into agreements with. However, all sponsorships and advertising on club uniforms must be controlled and administered by the club.

## **2.31 MERITORIOUS SERVICE MEDAL**

2.31.1 The Federation may award the Meritorious Service Medal to any person who has served for 12 years or more, in aggregate, as an official of the Federation or to other persons in special circumstances. The recommendation for the award shall be made by the Board of Management and submitted to the Annual General Meeting for approval.

A 'Sport' division of the Meritorious Service Medal may also be awarded to members who have achieved an Elite World Championship, Olympic Gold Medal or Paralympic Gold Medal.

## **2.32 MAIL VOTE**

2.32.01 A Mail Vote may be conducted for the following purposes:

- 1 To decide alterations to the Constitution which have previously been debated at a General Meeting.
- 2 Other matters as deemed urgent or necessary by the Board of Management or Constituent Associations.

- 2.32.02 All requests for Mail Votes must fully state the reasons why they are being taken.
- 2.32.03 Each Constituent Association will be entitled to one (1) vote.
- 2.32.04 When a Mail Vote has been authorised, the Chief Executive Officer shall send to each Constituent Association's Secretary, a clear statement of the matter to be voted on, and the closing date of the Mail Vote. For postal voting not less than 30 days or in the case of a facsimile or e-mail transmission not less than five (5) days at which in normal circumstances the above mentioned statement would reach associations by mail or facsimiles as the case may be.
- 2.32.05 Each Constituent Association shall forward its vote to reach the Chief Executive Officer prior to the closing date. A Constituent Association that does not record a vote or its vote is received after the closing date shall be declared invalid.
- 2.32.06 The Chief Executive Officer shall endorse each mail vote's date of arrival, then forward it to the President who shall declare the result of the vote and notify the Chief Executive Officer within 72 hours, who shall notify the Constituent Associations of the result within seven (7) days of receiving same from the President.

### 2.33 LOGO

- 2.33.01 The Logo for the Australian Cycling Federation is shown below.



### 2.34 REGISTERED TRADING NAME - TRADEMARK

- 2.34.01 The Registered Trading Name of the Federation shall be:

"CYCLING AUSTRALIA"

- 2.34.02 The registered Trademark for CYCLING AUSTRALIA is shown below



- 2.34.03 Both the Trading Name and Trademark of the Federation shall not be used without written authority of CA.

### **SCHEDULES TO THE BY-LAWS:**

- 1 Guidelines for Imposing Penalties for Disciplinary Misconduct
- 2 Guidelines for Imposing Penalties in Competition

### **ANNEXURES TO THE BY-LAWS:**

- A. Technical Regulations
- B. Code of Conduct
- C. Anti-Doping Policy
- D. Member Protection Policy
- E. National Selection Policy and Criteria

## SCHEDULE 1

### Guidelines for Imposing Penalties for Disciplinary Misconduct

Recommended range of penalties to be considered subject to By-Law 2.14.02

	<b>Proven Act of Misconduct</b>	<b>Recommended Range of Penalties</b> (One or more penalty within the range may be appropriate for each offence)
<b>A</b>	<p>General misconduct by a member that brings CA and/or the sport of cycling into disrepute</p> <p>Minor to medium level breaches of the Code of Conduct</p>	<p>Reprimand / Warning / Counseling</p> <p>Termination of membership of CA for a specified period of time within the range of 3 to 12 months</p> <p>Fine: taking into account a members benefits or earnings from the sport</p>
<b>B</b>	<p>Misconduct – including failure to accept reasonable directions of management – while a member of a team</p>	<p>As per A above, plus</p> <p>Termination of membership of team during current assembly</p> <p>Withdrawal of eligibility for selection for a specified period of time up to 12 months</p>
<b>C</b>	<p>Misconduct by accredited coaches or officials</p>	<p>As per A above, plus</p> <p>Termination of accreditation for a specified period of time</p>
<b>D</b>	<p>Serious breaches of the Code of Conduct; including but not limited to criminal misconduct, acts of violence or abuse, sexual harassment</p>	<p>Where mitigating circumstances or provocation is proven: termination of membership for a specified period within the range of 1 to 4 years</p> <p>Where malice or intent is found: termination of membership for a specified period within the range of 4 years to life</p>



## SCHEDULE 2

### Guidelines for Imposing Penalties in Competition

#### Road and Track Championships Elite Men, Elite Women and U23

(Key: F = Fine ~ D = Disqualification ~ R = Relegation ~ W = Warning)

<b>1 Start without signature check</b>	W + F \$20
<b>2 Bicycle</b>	
2.1 Presentation at the start of a race or race stage with a bicycle not in conformity with the regulations	Start refused
2.2 Use of a bicycle in a race which is not in conformity with the regulations	R + D
<b>3 Clothing</b>	
3.1 Wearing of non essential items	Start refused
3.2 Wearing of inappropriate clothing or articles on presentation podium	F \$30
3.3 Rider at the start without mandatory helmet	Start refused
3.4 Rider taking off the mandatory helmet during the race	D + F \$50
3.4 Rider competing with an unauthorized helmet	D + F \$100
<b>4 Number or frame number changed or altered in any way</b>	
4.1 One-Day Race and Stage Race	1st offence: F \$20 2nd offence: F \$50 3rd offence: D
<b>5 ID number or frame plate invisible or unrecognisable</b>	
5.1 One-Day Race and Stage Race	1st offence: F \$20 2nd offence: F \$50 3rd offence: D
<b>6 Non-return of rider's number after dropping out</b>	F \$20
<b>7 Putting on or taking off a garment against the Regulations</b>	Rider: \$20 Team Manager: \$20
<b>8 Non-regulation assistance to a rider of another team</b>	
8.1 One-Day Race	D
8.2 Stage Race	1st offence: F \$50 2nd offence: F \$50+ time penalty 3rd offence: D
<b>9 Flying relay between team mates</b>	
9.1 One-Day Race	F / R to end of field \$30
9.2 Stage Race	F + time penalty \$30 + 30"
9.3 In last km of a stage	F + R \$50
<b>Between riders from different teams</b>	
9.4 One-Day Race	F / R to end of field \$30 + R
9.5 Stage Race	F + time penalty \$30 + 30"
9.6 In last km of a Stage	F/R \$50 + R
<b>10 Sprint deviating from selected lane and endangering other riders</b>	
10.1 One-Day Race	D
10.2 Stage Race	1st offence: R to the last place in his group and points classification penalty 2nd offence: R to last place in the stage, point classification penalty & F \$50 3rd offence: D

<b>Irregular Sprint</b>	
10.3 One-Day Race	R to the last place in his group + F \$50
10.4 Stage Race	1st offence: R to the last place in his group + F \$30 2nd offence: R to last place in the stage + F \$50 3rd offence: \$50 + D
<b>Pulling jersey</b>	
10.5 One-Day Race	F \$30
10.6 Stage Race	F + time penalty \$30 + 10"
10.7 During last km of the event	F \$50 + D
10.8 During last km of a stage	Time penalty \$50 + 30" 2nd offence \$50 + D
<b>11 Pushing off against a vehicle</b>	
11.1 One-day race	F \$20
11.2 Stage race	F + time penalty \$20 + 10"
<b>Pushing amongst team mates</b>	
11.3 One-Day Race	F \$20
11.4 Stage Race	F + time penalty \$20 + 10"
<b>Pushing a member of another team</b>	
11.5 One-Day Race	F \$30 + D
11.6 Stage Race	F + time penalty \$30 + 10"
11.7 For offence in last stage	D
<b>12 Wilful obstruction of a rider or a team car</b>	
12.1 One-Day Race	F \$30 + D
12.2 Stage Race	1st offence F + time penalty \$30 + 10" 2nd offence \$50 + D
12.3 For offence during last km of stage	F + time penalty \$50 + 30"
12.4 For offence in last stage	F \$50 + D
<b>13 Prohibited assistance to another rider during a circuit finish</b>	
13.1 One-Day Race	F \$50 + D
13.2 Stage Race	F + R \$50
13.3 For offence during last stage	F + R \$50
<b>14 Wilful deviation from the course, attempt to be placed without having covered the entire course by bicycle, resuming the race after having accepted a lift in a vehicle or on a motorbike</b>	F \$50 + D
<b>15 Unintentional detour of the circuit constituting an advantage</b>	D
<b>16 Passing a level crossing which is already down</b>	D
<b>17 Cheating, attempted cheating, collusion between riders of different teams</b>	
17.1 One-Day Race	F \$50 + D
17.2 Stage Race	F \$50 + D
<b>18 Rider holding on to his team's vehicle:</b>	Rider: \$50 + D Team Manager: \$50 + D Team: exclusion of the vehicle for the duration of the race without the possibility of replacement
<b>19 Rider holding on to some other motor vehicle</b>	
19.1 Briefly	F \$20
For some time	
19.2 One-Day Race	F \$30 + D
19.3 Stage Race	F \$30 + D
<b>20 Non-regulation breakdown or medical assistance</b>	

20.1 One-Day Race	1st offence: F \$20
	2nd offence: D
20.2 Stage Race	1st offence: W
	2nd offence: F \$20
20.3 During last 20 km of stage	F \$30
21 Follower leaning out or holding supplies out of vehicle	1st offence: F \$40
	2nd offence: \$60
22 Motor-cycle carrying breakdown supplies other than wheels	F \$30 + D
23 Unauthorised refreshments	
23.1 One-Day Race	
in the first 20 km	F \$20
in the last 50 km	F \$30
23.2 Stage Race	
- in the first 20 km of stage	F \$20
- in the last 50 km of stage	F \$30
24 Non-regulation supply of refreshments	F per offence: \$20
25 Breach of regulations concerning vehicle movements during the race	F Vehicle driver: \$50
26 Obstructing the progress of an official car	F Rider: \$50
	F Other licence-holder: \$50
27 Abandoning a commissaire riding in a Trade Team, National Federation or Association vehicle during the race	F Team manager: \$60
28 Failure to respect instructions by the race organiser official or commissaire	F 1st offence: \$50 - \$100
	F + D 2nd offence: \$100 + D
28.1 Failure to respect instructions concerning a vehicle in Stage Race	Vehicle sent to back of the field for stage
28.2 Failure to respect instructions concerning a vehicle in One Day Race	Vehicle sent to back of the field for entire race
29 Insults, threats, unseemly behaviour	W or F or D depending on severity \$50 - \$100
30 Acts of violence	
30.1 Among riders	F + time penalty \$50 + 1' T/P stage race or D
30.2 Towards anyone else	F \$50+ D
31 Theft of food, drink or any other goods during the race	D
32 Carrying a glass container	D
33 Illegal or dangerous throwing of an object	F \$100
34 Discarding a glass object	D
35 Re crossing the finishing line in the direction of the race while still wearing a number panel	W then F \$30
36 Failing to attend official ceremonies	W then F \$60
37 Using a mobile telephone, CD player, iPod or transistor radio during a road or track race	W then F then D \$30
<b>ROAD STAGE RACES</b>	
38 Failure to wear an awarded leader's jersey or skinsuit	Rider: start refused or D
39 Demonstration or collusion to avoid being eliminated	D
40 Motor Pacing	1st offence: F \$100 + 1' T/P
	2nd offence: F \$200 + 5' T/P
	3rd offence: F \$400 + D
<b>INDIVIDUAL ROAD TT EVENTS</b>	
41 Riders failing to respect regulation distances and gaps	W then F then D \$30
41.1.Slip-streaming	Time penalty as per Tech Reg 3.42.12

42 Following vehicle failing to respect a distance of 10m	F Team manager: \$50 Rider: time penalty 20"
43 Breach of provisions concerning the circuit and warming up	W then F \$20
<b>TEAM ROAD TT EVENTS</b>	
44 Riders failing to respect regulation distances and gaps	W then F then D \$30 each rider
44.1 Slip-streaming	Time penalty as per Tech Reg 3.42.12
45 Pushing amongst riders of the some team	
45.1 Day Event	D
45.2 Stage Race	Time penalty on each rider
46 Following vehicle failing to respect a distance of 10m	Team manager: \$20 Each rider in the team: 20"
47 Breach of provisions concerning the circuit and warming up	W then F \$20
<b>TRACK EVENTS</b>	
48 For not holding his line during the final sprint	W then D (D without W if severe)
49 For riding on the blue band during the sprint	W then D
50 For deliberating riding on the blue band during the race	D
51 For not having held his line from the commencement of the sprint	R then D
52 For irregular movements to prevent his opponent from passing	R then D
53 For dangerous riding in the final bend	R then D
54 For dangerous riding during the race	R then D
55 For entering the sprinters lane when the opponent was already there	R
56 For moving down towards the inside of the track when a rival was already there	W or R
57 For moving down towards the inside and forcing the other competitor off the track	W or R
58 For crowding his opponent with the intention of causing him to slow down	W or R
59 For moving outwards with the intention of forcing the opponent to move up	W or R
60 For moving down too quickly after overtaking an opponent	W or R
61 For a deliberate and flagrant action	W or D
62 For causing the crash of another rider	D
63 For having blocked an opponent	W or D
64 For being late at the start line	W then D
65 For wearing only one number (when the rules require the using of more than one)	W
66 For incorrect gestures	W + F \$20
67 For incorrect behaviour	W + F \$20 to \$50 (D if severe)
68 For pushing an opponent	W + F \$20 to \$50 (D if severe)
69 For carrying illegal publicity on the back of a racing jersey	W + F \$50
70 For incorrect behaviour or disrespect to an official	D
71 For folding or mutilating a race number	F \$20
72 For improper advertising on a National / State jersey shorts	W + F \$50
73 Qualified for ..... event but did not start with justification	F \$20
74 For protest with hands off handlebars	W then F \$20
75 Giving a victory salute	F \$50 depending on conditions
76 For using two persons to give information to a rider during a team pursuit race	W then F \$20
77 For not being ready with extra wheels or other equipment at the start	W then F \$20
78 Urinating in a public place road or track	F \$30 then x 2 for each incident

- In situations where a second offence occurs the monetary fine may be doubled
- These penalties are generally recognized for elite and under 23
- Penalties for juniors may be half the monetary value
- Penalties and fines are a guide and may be varied

## INDEX

Rule	Rule No	Page
Annual General Meeting	2.04	2
Anti Doping Policy	2.09	10
Appeals	2.15	15
Australian Championships	2.25	24
Australian Championships, Officials	2.26	25
Code of Conduct	2.08	10
Commissions	2.05	3
Commissions – Athletes	2.05	5
Commissions – Coaching	2.05	6
Commissions – Discipline	2.05	4
Commissions – Masters	2.05	5
Commissions – Technical	2.05	6
Conduct of Cycling Activities	2.22	23
Disciplinary Matters – Definitions	2.11	11
Disciplinary Matters – General Principles	2.10	10
Disciplinary Matters – In Competition	2.13	14
Disciplinary Matters – Procedure	2.12	13
Event Organisers	2.21	23
Event Organisers – Responsibilities	2.23	24
Federation Events	2.25	24
Fees	2.16	17
General Meetings	2.04	2
High Performance Management Committee	2.05	7
Hosting Agreement	2.26	25
Illegal Events	2.24	24
International Races	2.28	26
Licences	2.17	18
Licences, International Endorsement	2.17	19
Licensing of Members	2.18	19
Licensing of Members – Schedule	2.18	20
Life Membership Entitlements	2.03	2
Logo	2.33	30
Mail Vote	2.32	29
Member Protection Policy	2.08	10
Meritorious Service Medal	2.31	29
Multi Disability Cycling	2.07	9
National Series Races	2.27	25
National Teams	2.29	27
Patrons	2.01	2
Penalties	2.14	14
Penalties for Disciplinary Misconduct – Guidelines	Schedule 1	32
Penalties In Competition – Guidelines	Schedule 2	33
Promoter's Licence	2.19	22
Promoters – Responsibilities	2.20	22
Selection Committees	2.06	8
Sponsorships	2.30	29
Team Coaches	2.29	27
Team Manager – Duties of	2.29	27
Team Members – Eligibility and Responsibilities	2.29	27
Team Membership – Dismissal	2.29	28
Trademark	2.34	30
Trading Name	2.34	30

