

ILLAWARRA JUNIOR BASEBALL LEAGUE INCORPORATED

CONSTITUTION AND RULES

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1. NAME

The name of the body shall be ILLAWARRA JUNIOR BASEBALL LEAGUE INCORPORATED (referred to in these rules as "The League"), an Association of the Illawarra Baseball League Incorporated.

2. OBJECTS

The objective of the League shall be:

- (a) To assist the Illawarra Baseball League Incorporated to promote and maintain the Name of baseball in the Illawarra District.
- (b) To arrange, control and manage all aspects of Junior Baseball within Illawarra, on behalf of the Illawarra Baseball League Incorporated.
- (c) To uphold the laws and regulations of baseball as set out in the Australian Baseball Council Rule Book, with such alterations or additions as from time to time the League may consider necessary.
- (d) To decide all doubtful or disputed questions as to the laws and regulations and all matters in connection with the game in respect to all junior club games within the district.

3. MEMBERSHIP

- (a) Subject to these rules the members of the League shall be the members of the Association immediately prior to Incorporation together with such other organisations as the committee admits to membership.
- (b) Membership is open to affiliated clubs or organisations who accept the objectives and rules of the League. An Unincorporated club or organisation is not capable of being a member of the League, but it may nominate individuals to be members to represent it.
- (c) Clubs or organisations wishing to become members of the League shall apply to the Committee for membership.
- (d) The Committee shall determine whether or not to accept an application for membership. The Committee is not required to supply reasons for accepting or rejecting an application for membership.
- (e) Members shall pay such fees as are determined by the League at the due date.
 - i) The Annual Fees of the League shall be set by the Management Committee annually.
 - ii) Any club or body failing to pay the Affiliation fee within the prescribed period shall forfeit its rights to send delegates to meetings of the League and its team or teams may be barred from taking part in all competitions until the fee is paid. A fine as set by the Management Committee, shall be payable to the League.
 - iii) All bodies affiliated with the League be registered and pay an affiliation fee as set by the Management Committee.
- (f) A register of members shall be kept by the League showing the name, address and date of commencement of membership for each member. Provision for noting the date of cessation of membership shall also be contained in the register.
- (g) Membership shall cease upon resignation, expulsion or failure to pay outstanding membership fees within three (3) months of due date.
- (h) Membership fees shall fall due on the first day of each financial year of the League. The financial year of the League shall run from July 1 to June 30 or such other period as is determined by the Committee.

4. MEMBERS' LIABILITY

The members of the League shall have no liability to contribute towards the debts and liabilities of the League or the costs, charges and expenses of the winding up of the League except to the amount of any unpaid membership fees.

5. DISCIPLINING OF MEMBERS

The procedure for disciplining members shall be determined by the Match Committee. Anyone who wishes to appeal against a decision refusing membership, expelling them from membership or otherwise disciplining them may do so at the next general meeting of the League.

6. MANAGEMENT - BY COMMITTEE

- (a) The League shall have its affairs controlled and managed by Office bearers and other members known as the "Management Committee".
- (b) The Office bearers of the League shall be a President, 2 Vice-Presidents, Secretary, Treasurer and Registrar. They shall be known as the Executive Committee. The President of the Illawarra Baseball League Incorporated shall be an ex-officio Officer of the League.
- (c) The members of the Management Committee shall be the Executive plus a delegate from each affiliated club or organisation.
- (d) The Executive Committee shall be elected at each Annual General Meeting, and any of the following as and if required: Publicity Officer, Patrons, Assistant Secretary, Auditors.
- (e) Each delegate shall be nominated by their affiliated club or organisation and shall be elected at their Annual General Meeting. The delegate (elect) shall be endorsed at each Annual General Meeting of the League. Any casual vacancy occurring in the Committee may be filled by a member endorsed and appointed by the Committee.
- (f) Each member of the Committee shall hold office from the date of their election or appointment until the next Annual General Meeting of the League.
- (g) Retiring Committee members are eligible for re-election.
- (h) The Committee shall meet as often as necessary to conduct the business of the League and not less than six (6) times during any season.
- (i) The quorum for meetings of the Committee shall be one half the number of Committee members elected and endorsed at the previous Annual General Meeting.
- (j) Notice of Committee Meetings shall be given at the previous Committee meeting or by such other means as the Committee may decide upon.
- (k) A member of the Committee shall cease to hold office upon resignation in writing; removal as a member of the Association; or absence from three (3) successive Committee Meeting without approval by the Committee.
- (l) The Committee may function validly provided its number is not reduced below the quorum. Should Committee numbers fall below the quorum, the remaining Committee members may act only to appoint new Committee members.
- (m) Questions arising at any meeting of the Committee shall be decided by the majority of votes of those present.

In case of an equality of votes, the person appointed to chair the meeting shall have a second or casting vote.

- (n) If within half an hour of the time appointed for a Committee Meeting a quorum is not present the meeting shall be dissolved.
- (o) Additional meetings of the Committee may be convened by the President or any three (3) members of the Committee.
- (p) The Management Committee shall have the power to appoint committees or sub-committees from its own members or members from the League or to assist the Management Committee or any of the Executive Officers in the performance of their duties to the League. Any such Committee will be chaired by any Executive and acts only on the direction and under the control of the Management Committee and without the power to bind the League by any resolution or act without the specific sanction of the Management Committee.
- (q) The Management Committee shall at its first meeting after the Annual General Meeting elect the following special subcommittees. Each sub-committee shall elect its own chair.
 - i. MATCH COMMITTEE consisting of five (5) members, as far as possible from separate clubs, any three (3) of which shall constitute a quorum.
 - ii. CANTEEN COMMITTEE consisting of one (1) member from each club.
- (r) The Powers of the Management in the Executive Committee. which arise between Committee meetings be hereby vested They shall deal with any matters of the Management Committee. Any decision reached by the Executive Committee shall be brought to the next meeting of the Management Committee for approval and ratification.
- (s) The Constitution and Rules of the League shall prevail if it conflicts with an affiliated club or organisation Constitution.
- (t) The Constitution and Rules of the Illawarra 'Baseball League Incorporated (the governing body) shall prevail if it conflicts with those of the League.

7. GENERAL MEETINGS

- (a) An Annual General Meeting of the League shall be held each year with six (6) months from the end of the financial year of the League (except the First Annual General Meeting, which shall be held within two (2) months from the end of the first financial year and within eighteen (18) months of incorporation).
- (b) In the case of the Annual General Meeting the following business shall be transacted:
 - i) Confirmation of the minutes of the last Annual General meeting and any recent special general meetings.
 - ii) Receipt of reports from Executive and all Sub-Committees upon the activities of the League in the last financial year.
 - iii) Election of office bearers and other members of the Committees.
 - iv) Receipt and consideration of a statement from the Treasurer which is not misleading and gives a true and fair view for the last financial year of the League -
 - a. income and expenditure
 - b. assets and liabilities
 - c. mortgages, changes and other other securities
 - d. trust properties
- (c) Special General Meetings of the League may be called at the direction of the President of the Illawarra Baseball League Inc., the President of the League, at the direction of the Management Committee, or by a

- requisition signed by the secretaries of at least two (2) clubs who are affiliated organisations of the League.
- (d) Notice of Annual General Meeting and any special General Meeting shall be issued to members in writing not less than Fourteen (14) Days prior to the date of the meeting and in each instance the business for which the meeting has been called shall be stated and discussions shall be confined to the business so stated.
- i. In the case of general meetings where a special resolution shall be given to members at least twenty-one (21) days before the meeting.
 - ii. In the case of the Annual General Meeting notice to registered club secretaries as to the time of the meeting and advertisement in a least one local paper shall be deemed as being "Notice to all Members".
- (e) A quorum at the Annual General Meeting and any Special General Meeting shall be at least two-thirds (2/3) of the members who are entitled to vote. If within half an hour of the time appointed for a general meeting a quorum is not present the meeting shall be dissolved.
- i. The President shall call another meeting to a date to within not less than fourteen (14) days time after the dissolved meeting.
 - ii. In the event of there not being a quorum at the adjourned meeting, the members present with voting rights may at their discretion further adjourn the meeting, or alternatively carry out the business of the meeting, and all or any resolutions or decisions eventuating shall be valid and binding on the Association.
- (f) The time and place for the Annual General Meeting and any Special General Meeting shall be at the direction of the Management Committee, but in the case of a Special General Meeting shall be held within fourteen (14) days of receipt of such requisition.
- i. The commencement and closing time of General Meetings shall be at the discretion of the Executive Committee.
- (g) Voting at general meetings shall be by a show of hands unless a secret ballot is demanded. Decisions shall be made by a simple majority vote except for those matters which must be decided by special resolution where a three-quarter (3/4) majority is required.
- (h) All votes shall be given personally and there shall be no voting by proxy.
- (i) In the case of an equality of votes the person appointed to chair the general meeting shall have a second or casting vote.
- (j) Discussion at the Annual General Meeting and any Special General Meeting shall be open to the main body of members. Voting only by members of the Committee.
- (k) Nomination of candidates for election as office bearers or other committee members may be made at the Annual General Meeting or in such other ways as may be determined by the League at a general meeting.
- (l) Notice of general meetings shall be given to members either personally or by post.

8. OFFICE BEARERS

- (a) The President shall be the Executive Head of the League and shall, when present, preside at all meetings.
- i. The President of the League shall be a Vice President of the Illawarra Baseball League Inc.
 - ii. The President or his/her delegate shall represent the League at all meetings of the Illawarra Baseball League Inc.
- (b) The Vice Presidents shall assist the President in the performance of his/her duties and at his/her request or in his/ her absence act in his/her stead.

- i. The Senior Vice President shall take precedence over the Junior Vice President. In the absence of the Senior Vice President the Junior Vice President shall act in his/her stead.
 - ii. In the absence of the President and both Vice Presidents, providing there is a quorum present, those present shall elect a Chairperson from amongst themselves and the meeting shall proceed.
- (c) If the President and Vice Presidents are absent from a meeting or unwilling to act, the members present at the meeting shall elect one of their number to act as Chairperson.
- (d) The duties of the Secretary shall include:
 - i) Keep a record of all meetings and the minutes thereof (in a regulation minute book).
 - ii) Keep attendance book of all General and Management Committee meetings.
 - iii) Carry out directions of any General or Committee meetings.
 - iv) Keep names and addresses of all members of the League, and Secretaries of affiliated Clubs or bodies.
 - v) Keep in safe custody all records of the League.
 - vi) Perform all clerical duties and any other duties that may be necessary under this Constitution or other rules of the League.
 - vii) At the Annual General Meeting or the following meeting, distribute in writing to all clubs, amendments or additions to the Constitution and rules, by-laws or playing conditions.
 - viii) At the Annual General Meeting or the following meeting distribute to all clubs any motions or decisions made during the previous year which he/she feels may be of value in solving disputes in the future.
- (e) The duties of the Treasurer shall include:
 - i) Receiving and banking as soon as possible all monies of the League.
 - ii) Keep a true and correct record of finances of the League.
 - iii) Deliver a financial report for every ordinary meeting of the Management Committee and Executive Committee.
 - iv) Submit at all Management Committee meetings all bank pass books and current receipt books.
 - v) Prepare the Treasurer's Income and Expenditure report for each financial year of the League.
 - vi) Payments shall be made through a petty cash system or by cheque signed by two signatories authorised by the Committee.
 - vii) Major or unusual expenditure shall be authorised in advance by the Committee or a general meeting.
 - viii) Shall cause true accounts to be kept of all income and expenditure of the League.
 - 1. Subject to any reasonable restrictions that may be imposed from time to time by the League or the Management Committee as to the time and nature of inspecting same, all books of account of the League may be inspected by an Officer Bearer or delegate, providing permission for inspection of same has been granted by the Management Committee.
 - 2. The books of account shall be kept in the custody of the Treasurer or at such place as the League thinks fit.
 - ix) Keeping a record of fines incurred for failure to attend meetings or working bees.

9. SPECIAL RESOLUTIONS

- (a) A special resolution must be passed by a General Meeting of the League to the effect the following changes:
 - i) a change of the Leagues' name
 - ii) a change of the Leagues' constitution and rules
 - iii) a change of the Leagues' objects
 - iv) an amalgamation with another Incorporated Association
 - v) to voluntarily wind up the League and distribute its property
 - vi) to apply for registration as a Company or a Co-operative

- (b) A special resolution shall be passed in the following manner:
 - i) a notice must be sent to all members advising that a general meeting is to be held to consider a Special Resolution
 - ii) the notice must give details of the proposed Special Resolution and give at least twenty-one (21) days notice of the meeting
 - iii) a quorum must be present at the meeting
 - iv) at least three-quarters (3/4) of those present must vote in favour of the Resolution
 - v) in situations where it is not possible or practicable for a Resolution to be passed as described above, a request may be made to the, Corporate Affairs Commission for permission to pass the Resolution in some other way.

10. PUBLIC OFFICER

- (a) The Committee shall ensure that a person is appointed as Public Officer.
- (b) The first Public Officer shall be the person who completed the application for incorporation of the League.
- (c) The Committee may at any time remove the public Officer and appoint a new Public Officer provided the person appointed is 18 years of age or older and a resident of New South Wales.
- (d) The Public Officer shall be deemed to have vacated their position in the following circumstances:
 - i) death
 - ii) resignation
 - iii) removal by the Committee or at a General Meeting
 - iv) bankruptcy or financial insolvency
 - v) mental illness
 - vi) residency outside New South Wales
- (e) When a vacancy occurs in the position of Public Officer the Committee shall within fourteen (14) days notify the Corporate Affairs Commission by the prescribed form and appoint a new Public Officer.
- (f) The Public Officer is required to notify the Corporate Affairs Commission by the prescribed form in the following circumstances:
 - i) appointment (within 14 days)
 - ii) a change of residential address (within 14 days)
 - iii) a change in the Leagues objects or rules (within one month)
 - iv) a change in the membership of the Committee (within 14 days)
 - v) of the Leagues financial affairs (within one month after the Annual General Meeting)
 - vi) a change in the Leagues name (within one month)

- (g) The Public Officer may be an office bearer, committee member, or any other person regarded as suitable for the position by the Committee.

11. MISCELLANEOUS

- (a) The League shall effect and maintain insurance as is required under the Associations Incorporation Act together with any other insurance which may be required by law or regarded as necessary by the League.
- (b) The funds of the League shall be derived from the fees of members, donations, grants and such other sources approved by the League.
- (c) The common Seal of the League shall be kept in the custody of the Secretary and shall only be affixed to a document with the approval of the Committee. The stamping of the Common Seal shall be witnessed by the signature of two (2) members of the Committee.
- (d) The League may at any time pass a special resolution determining how any surplus property is to be distributed in the event that the League should be wound up. The distribution of surplus property shall be in accordance with section 53 of the Associations Incorporation Act 1984.
- (e) Service of documents of the League is effected by serving them on the Public Officer or by serving them personally on two members of the Committee.
- (f) Notices sent by post shall be deemed to have been received two (2) days after the date of posting.
- (g) The income and property of the League shall be used only for promotion of the objects of the League and shall not be paid or transferred to members by way of dividend, bonus or profit.

12. SPECIAL DUTIES AND ROLES

- (a) The duties of the Registrar shall include:
 - i) To record all game results of all competition and final series games.
 - ii) To keep and record all players names, addresses and dates of birth.
 - iii) To keep a recording of the competition points table for each age group as the competition progresses, and also of the Club Championship table.
 - iv) For the purpose of progression checks, the registrar shall at all monthly meetings have an up-to-date reading of each age group points table, except for the week-end preceding the meeting, and also for the Club Championship.
 - v) He/she on request from an Executive member supply a points table, Club Championship table and list of fines incurred for failure to fulfil umpiring obligations.

- (b) Publicity

The Management Committee shall appoint a Publicity Officer, who shall work at the direction of the Secretary. The ~management Committee may at its discretion apportion such of the League's funds as it thinks necessary to publicity.

- (c) Auditors

The Auditors shall, at the direction of the President of the Illawarra Baseball League Inc., the Executive or Management Committee, conduct an audit of accounts of the League, to be presented as required by the League.

(d) Selection Committee

The Selection Committee shall consist of five (5) members, as far as possible from separate clubs, plus a member of the Executive Committee plus the coach of the team being selected.

- i) Five members shall form a quorum.
- ii) The Committee shall meet whenever necessary.
- iii) The duties of the Selection Committee shall be to select teams to represent the League when instructed to do so by the Management Committee.
- iv) The Committee shall select players to practice at such times and places as may be necessary for selection in any team.
- v) Coaches shall be elected by the Management Committee at a time deemed suitable by the Committee.

(e) Match Committee

- i) They shall adjudicate on all protests, disputes and judiciary matters, except those relating to the rules of baseball.
- ii) Three (3) members shall form a quorum.
- iii) They shall meet within the week following notice of protest or dispute being given them by the Association.
- iv) Verbal notice to concerned parties, no later than -twenty-four (24) hours prior to the meeting shall be deemed as sufficient.
- v) Should party or parties concerned fail to answer such summons, judgement may be given in default.
- vi) Their judgement shall be deemed to be the judgement of the Management Committee and appeal shall be only to the Executive and Match Committee meeting of the League, immediately on receipt of such appeal, and in accordance with clauses covering Special General Meetings as set out in this Constitution. Appeals must be submitted in writing within seven (7) days of ruling being handed down.
- vii) The Match Committee shall within three (3) days of their meeting inform the parties concerned and the League Secretary of their findings.
- viii) No Judgement shall be given that is in contravention of this Constitution and rules; by-laws and playing conditions of the League at the time of meeting.
- ix) The Committee shall prepare a draft program of all matches played during the season for submission to the Executive Committee and returned to the Chairperson of the Committee for presentation at the Management Committee meeting after notification has been given to the Committee of any proposed alterations by the Executive Committee.

(f) Rules Committee

- i) The Rules Committee shall adjudicate on all matters regarding the rules of baseball and local playing rules.
- ii) The Committee shall consist of President, Secretary, Treasurer, Chairperson of the Match Committee.
- iii) Appeal shall be only to a full Management Committee meeting.
- iv) Directions regarding meetings, quorum etc as per Match Committee.

13. SUSPENSION AND DISQUALIFICATION

- (a) The League may disqualify any member of the League, Club, Associated member of a Club or player. In the event of such Club, member, associated member or player violating the rules or by-laws, or failing to comply with any direction of the League or any of its committees.
- (b) Disqualification or suspension shall be imposed for such fixed period as the League shall determine or may provide, in the case of an individual, for life. Providing that where such disqualification is imposed for more than one (1) year, the Club, Association or individual disqualified may apply to the League after the expiration of one (1) year to remove same, and in the case of an individual disqualified for life, he/she may make application after three (3) years.
- (c) Disqualifications or suspension shall continue until removed by the League on the application of the Club, Association or individual so disqualified or suspended, and no Club, Association or individual shall participate in Junior Baseball until such disqualification or suspension has been removed.
- (d) The League may endorse the disqualification or suspension of any member of a Club or player imposed or confirmed by any affiliated Club or Association or any recognised controlling body of amateur sport in N.S.W. or imposed by any recognised controlling body of baseball outside the State of N.S.W.
- (e) If at any meeting of the League, a special resolution (of which due notice has been given) that an affiliated Club or Association, whether previously disqualified or not, has rendered itself unworthy of belonging to the League be carried by the vote of at least three-quarters (3/4) of voting delegates present, such Club or Association shall cease to belong to the League.
- (f) The Executive may cite any member of the League, Club, associated member of a club, or player who in its opinion fails to conduct him/her self or itself in a proper manner. Such citing will be referred to the Match Committee who shall adjudicate on the matter.

14. LIFE MEMBERS

- (a) Nominations for Life Membership must be in writing and to the Executive twenty-one (21) days prior to the Annual General Meeting. The nomination must come from an affiliated member body.
- (b) At the Annual General Meeting the floor shall discuss the nomination in the absence of the person concerned, and shall vote on the nomination. A majority of threequarters (3/4) is required for the nomination to be passed.
- (c) A Life Member has a voting right at all Management Committee Meetings and at the Annual General Meeting, but not at appeals, protests or Special Meetings. If a Life Member holds an Association Executive Office, he/she forfeits his/her Life Membership voting rights.