

ILLAWARRA BASEBALL LEAGUE

INCORPORATED

CONSTITUTION

AND

RULES

REVISION III AUGUST 1998

"The rules of the Illawarra Baseball League Incorporated contained herein are in accordance with Section 11 and contain those matter specified in Schedule 1, of the Associations Incorporated Act 1984.

Signed

ILLAWARRA BASEBALL LEAGUE

INCORPORATED

CONSTITUTION AND RULES

REVISION III AUGUST 1998

<u>CONTENTS</u>	<u>RELEVANT CLAUSE(S) IN THE RULES</u>
1. NAME	1
2. OBJECTS	2
3. MEMBERSHIP	
(a) Qualifications	3(a) 3(b)
(b) New Members	3(c) 3(d)
(c) Fees, Subscriptions etc	3(e) 3(f)
(d) Disqualification	3(g) 13
4. MEMBERS LIABILITY	4
5. DISCIPLINING OF MEMBERS	5
6. COMMITTEE	
(a) Name	6(a)
(b) Constitution, membership, election	6(b) 6(c) 6(d) 6(e)
(c) Powers	6(a) 6(q) 6(s)
(d) Term of Office	6(f)
(e) Grounds for Vacancy of Office	6(k)
(f) Filling Casual Vacancy	6(e)
(g) Quorum and procedure	6(g) 6(h) 6(i) 6(j) 6(l) 6(o)
(h) Voting	6(m)
(i) Additional meeting	6(p)
(j) Other Committees	6(q) 6(r) 12
Rev III	August 1998

(k) Conflict of Constitutions	6(t)
7. GENERAL MEETINGS	7
(a) Calling of	7(a) 7(c)
(b) Quorum and Procedure	7(b) 7(d) 7(e) 7(f) 7(k) 7(l) 8(a) 8(b) 8(c)
(c) Voting methodology	7(g) 7(h) 7(i)
(d) Open discussion	7(j)
8. OFFICE BEARERS	8
(a) President	8(a)
(b) Vice Presidents	8(b)
(c) Secretary	8(d)
Custody of Records	8(d)
(d) Treasurer	8(e)
(e) Funds	- Management 8(e)
	- Source 11(b)
	- Custody of Books 8(e)
	- Inspection of Books 8(e)
9. ALTERATION OF CONSTITUTION AND RULES	
Special Resolution	9(a) 9(b)
10. PUBLIC OFFICER	10
11. MISCELLANEOUS	11
(a) Insurance	11(a)
(b) Common Seal	11(c)
(c) Surplus property	11(d)

(d) Service of documents 11(e)

12. SPECIAL DUTIES AND ROLES

(a) Assistant Secretary 12(a)

(b) Registrar 12(b)

(c) Publicity 12(c)

(d) Auditors 12(d)

(e) Selection Committee 12(e)

(f) Judicial Panel 12(f)

(g) Rules Committee 12(g)

13. SUSPENSION AND DISQUALIFICATION 13

14. LIFE MEMBERS 14

1. **NAME**

The name of the Association shall be **ILLAWARRA BASEBALL LEAGUE INCORPORATED** (referred to in these rules as “the League”).

2. **OBJECTS**

The objects of the League shall be:

- (a) To promote and maintain the game of baseball in the Illawarra District.
- (b) To arrange, control and manage all games of baseball within Illawarra in conjunction with the N.S.W. Baseball League.
- (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 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 Management Committee admits to membership.
- (b) Membership is open to affiliated clubs or organisations who accept the objects 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 Management Committee for membership.
- (d) The Management Committee shall determine whether or not to accept an application for membership. The Management 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) All bodies affiliated with the League be registered and pay an affiliation fee as set by the Management Committee.
- (iii) Any club or body failing to pay any fee within the prescribed period shall forfeit all its constitutional rights 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.
- (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 the 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 January 1 to December 31 or such other period as is determined by the Management 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 Management 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 the office bearers and other members known as the Management Committee.
- (b) The office bearers of the League shall be a President, Vice President (Senior), Vice President (Junior), Secretary and Treasurer. They shall be known as the Executive Committee.

- (i) The Illawarra Junior Baseball League Inc. President shall become the Junior Vice President of the Association.
- (c) The members of the Management Committee shall be 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: Registrar, 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 Executive or Management Committees may be filled by a member endorsed and appointed by the Management Committee.
- (f) Each member of the Committees shall hold office from the date of their election or appointment until the next Annual General Meeting of the League.
- (g) Retiring Executive Committee members are eligible for re-election.
- (h) The Management 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 Management Committee shall be one half the number of Committee members elected and endorsed at the previous Annual General Meeting.
- (j) Notice of Management Committee Meetings shall be given at the previous Management Committee meeting or by such other means as the Management Committee may decide upon.
- (k) A member of the Executive Committee shall cease to hold office upon resignation in writing, removal as a member of the Association or absence from three successive Management Committee Meetings without approval of the Executive Committee.
- (l) The Committee may function validly provided its number is not reduced below the quorum. Should Management Committee numbers fall below the quorum, the remaining Management Committee members may act only to appoint new Executive Committee members.
- (m) Questions arising at any meeting of the Management Committee shall be decided by the majority of votes of those club delegates present. In case of an equal amount of votes, the person appointed to chair the meeting shall have a casting vote.

- (n) If within half an hour of the time appointed for a Management Committee Meeting a quorum is not present, the meeting shall be dissolved.
- (o) Additional meetings of the Management Committee may be convened by the President or any three (3) members of the Management Committee.
- (p) The Management Committee shall have the power to appoint committees or sub-committees from its own members or members from the League for any special purpose, to implement the work of 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 an 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 appoint a judicial panel of at least 3 members. The panel shall be appointed by the Management Committee prior to the start of the competitions first round and disbanded 3 weeks after the completion of the Grand Final. The panel shall carry out the general policy of the Management Committee.
- (r) The powers of the Management Committee shall be hereby vested in the Executive Committee. They shall deal with any matters which arise between meetings 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's constitution.
- (t) The Executive Committee shall adjudicate on all matters regarding the rules of baseball and local playing rules, their decision shall be final.

7. GENERAL MEETINGS

- (a) An Annual General Meeting of the League shall be held each year within 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 Executive Committee.
- (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:
 - income and expenditure
 - assets and liabilities
 - mortgages, changes and other securities
 - trust properties

(c) Special General Meetings

Special General Meetings of the League may be called at the direction of the President, at the direction of the Management Committee or by a requisition signed by the secretaries of at least two (2) clubs who are affiliated and financial organisations of the League.

(d) Notice of Meetings

- (i) Notice of Annual General Meeting and any Special General Meeting called at the direction of the President or Management Committee 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.

In the case of Annual or Special general meetings, where a special resolution shall be given to members, at least twenty-one (21) days notice shall be given 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 at least one local paper shall be deemed as being "Notice to all Members".

(e) Quorum

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.

The President shall call another meeting to a date to within no less than fourteen (14) days time after the dissolved meeting.

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) Time and Place

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 at the requisition of members, such Special General Meetings shall be held within fourteen (14) days of receipt of such requisition.

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 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 the members of the Management 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) President The President shall be the Executive Head of the League and shall, when present, preside at all meetings.
- (b) Vice Presidents shall assist the President in the performance of his duties and at his request or in his absence act in his stead.

In the absence of the President or Vice Presidents, providing there is a quorum present, those present shall elect a Chairperson from among themselves and the meeting shall proceed.

In the absence of the President and more than one Vice President being present, the Senior Vice President shall take precedence over the Junior Vice President.

- (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) Honorary Secretary

The duties of the Honorary 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 Hon. 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 any amendments or additions to the Constitution, Rules, By-laws and Playing Conditions.

(e) Honorary Treasurer

The duties of the Honorary 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 Honorary Treasurer's Income and Expenditure report for each financial year of the League.
- (vi) All payments shall be made through a petty cash system or by cheque, signed by the number and name of signatories authorised by the Executive Committee.
- (vii) Major or unusual expenditure shall be authorised in advance by the Committee or a General Meeting.
- (viii) Accounts:
 - (a) Shall cause true accounts to be kept of all income and expenditure of the League.
 - (b) 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 Office Bearer or delegate, providing permission for inspection of same has been granted by the Management Committee.
 - (c) The books of account shall be kept in the custody of the Treasurer or at such place as the League thinks fit.

9. SPECIAL RESOLUTIONS

- (a) A special resolution must be passed by an annual or special general meeting of the League to 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' objectives
 - (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 special 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 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 Executive 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 Management 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 Management 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 Executive Committee shall within 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 of the League's objects or rules (within one month)
 - (iv) of the League's financial affairs (within one month after the Annual General Meeting)
 - (v) a change in the League name (within one month)

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 Executive Committee. The stamping of the Common Seal shall be witnessed by the signature of two members of the Executive 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 Executive Committee.
- (f) Notices sent by post shall be deemed to have been received two 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 Assistant Honorary Secretary (when required) shall assist the Hon. Secretary in any of his duties as required and in his absence shall perform all those duties of the Hon. Secretary.
- (b) Registrar The duties of the Registrar shall include:
 - (i) To record all game results of all competition and final series grade games.
 - (ii) To keep and record all players names and what grades they participated in during competition games for the purposes of regrade checks.
 - (iii) To keep a recording of the competition points table for each grade 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 grades points table, except for the week preceding the meeting and also for the Club Championship.
- (v) He shall on request from an Executive member supply a points table, grade checks, Club Championship table and a list of fines incurred for late result sheets.

(c) Publicity

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

(d) Auditors

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

(e) Duties of Special Sub-Committees

Selection Committee

The Selection Committee shall consist of the Senior, U/22 and U/18 rep coaches plus another 2 persons from the Management Committee.

- (i) Four (4) members shall form a quorum.
- (ii) The Committee shall meet whenever necessary.
- (iii) The Committee shall be chaired by an Executive of the League.
- (iv) The duties of the Selection Committee shall be to select squads to represent the League when instructed to do so by the Management Committee.
- (v) The Committee shall appoint the captain of each selected team.
- (vi) The Committee shall select players to practice at such times and places as may be necessary for selection in any team.
- (vii) The Management Committee shall elect representative coaches and managers as the need arises. Their positions may be changed at a monthly meeting if due to unexpected circumstances or the person elected can no longer be committed to the position. The respective

coaches and managers shall select teams to represent the league as required.

(f) Judicial Panel

- (i) They shall adjudicate on judiciary matters, except those relating to the rules of baseball.
- (ii) Fifty percent (50%) of members shall form a quorum.
- (iii) They shall meet within the week following notice by a member of the Executive Committee of a send off by an umpire.
- (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 of the Judicial Panel shall be deemed to be the judgement of the Management Committee.
- (vii) An appeal shall be only to an Executive Meeting of the League, such meetings to be called by a member of the Executive Committee, upon receipt of a written appeal within seven (7) days of the ruling being handed down. The Executive Committee shall decide if the appeal is accepted or rejected. If the appeal is accepted it will be referred to the Judicial Panel, this time with the addition of one (1) member of the Executive, preferably the President.
- (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 the meeting.
- (ix) The Executive may cite any member of the League, Club, associated member of a Club or player, who in it's opinion fails to conduct himself, herself or itself in a proper manner. Such citings of a player shall be referred to the Management Committee who shall adjudicate on the matter.

13. SUSPENSION AND DISQUALIFICATION

- (a) The League may disqualify any member of the League, Club, Associate member of a Club or player in the event of such Club, member, associate 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 may make application after three (3) years.
- (c) Disqualifications or suspensions 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 baseball until 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 recognized controlling body of amateur sport in N.S.W. or imposed by any recognized 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.

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 a nominee and a seconder from different clubs or affiliated member bodies.
- (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 three-quarters (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 forfeits his life membership voting rights.
- (d) There shall be no more than six (6) current life members.