

VICTORIA PARK BELMONT BASEBALL CLUB (Inc)

BYLAWS

No.	Subject	Ratified
1.	<p>Player Fees: Pursuant to Constitutional Clause 21.</p> <p>Player fees for the 2018/2019 season to be as follows:</p> <ul style="list-style-type: none">• Machine Pitch: \$90.00• Little League: \$210• Junior League: \$280.00• Senior and Big League: \$330.00• Lower Senior Grades: \$420.00• AAA: \$475.00• State League: \$475.00 <p>N.B. Colts also playing seniors are required to pay an additional \$100.00 to Colts fees.</p>	August 2015
2.	<p>Life Members: Pursuant to Constitutional Clause 21. (b)</p> <p>Life members will be required to pay full fees for any given season, reimbursements due to cessation of playing will be in accordance with the constitution.</p> <p>Life members will be entitled to one free ticket to the clubs annual awards night.</p>	September 2015
3.	<p>General Decisions:</p> <p>No individual committee member has the authority to alter, amend or overrule a lawful decision made by the committee.</p>	December 2015
4.	<p>Social Fund Raising: Pursuant to Constitutional Clause 16 (A)(vi)</p> <p>Social Coordinator shall have the authority to make general decisions in reference to social functions, raffles and other fund raising ventures. All aforementioned ventures will be subject to the authorisation of the Management Committee.</p>	December 2015
5.	<p>Elections: Pursuant to Constitutional Clause 13.</p> <p>Elections will be conducted in accordance with the Non Parliamentary Election rules of the West Australian Electoral Commission as adapted for the Club as attached at Addendum One.</p>	September 2015
6.	<p>General Behavioural Standards</p> <p>The Club hereby adopts as an overriding principle the standards set out in The Baseball National Member Protection Policy¹.</p> <p>The Club also adopts the following Club specific standards:</p> <ul style="list-style-type: none">• The Victoria Park Belmont Baseball Club Code of Conduct²;	December 2015

¹ Baseball Australia Website, <http://www.baseball.com.au/Portals/27/Policies/BA%20MPP%20Version%20Six%20Aug%202013.pdf> , 28/12/2015

	<ul style="list-style-type: none"> • The Victoria Park Belmont Baseball Club Responsible Service of Alcohol Policy³; and • The Victoria Park Social Media Policy⁴. <p>Should at any time a club specific standard lapse or become obsolete the Baseball National Member Protection Policy will serve as the standard.</p>	
6.	<p>Exceptional Performance:</p> <p>The recognises the effort of those individuals that are selected to represent their state and/or country and pledges the following donations:</p> <ul style="list-style-type: none"> • \$150 to those VPBBC players selected to represent West Australia; and • \$250.00 to those VPBBC players selected to represent Australia. 	October 2015
7.	<p>Purchasing: Pursuant to Constitutional Clause 24 (a)</p> <ul style="list-style-type: none"> • No sum of money in excess of one hundred dollars (\$100.00) shall be paid on account of the club except with the express approval of: <ul style="list-style-type: none"> ○ The President; or ○ One of the Vice Presidents; or ○ No less than two of the executive committee as outlined in clause 12. 	December 2015

Addendum One

² Currently awaiting ratification

³ VPBBC Website, <https://sitedesq.imgstg.com/assets/siteDesq/19791/documents/Responsible%20Service%20of%20Alcohol%201.0.pdf>, 28/12/2015

⁴ VPBBC Website, <https://sitedesq.imgstg.com/assets/siteDesq/19791/documents/Social%20Media%20Policy%201.0.pdf>, 28/12/2015

VICTORIA PARK BELMONT BASEBALL CLUB ELECTION RULES

PREFACE

On the recommendation of the Western Australian Electoral Commission relative to Standard Non-Parliamentary Election Rules the following Rules have been extracted from the "Standard Election Rules" for the purpose of the efficient conduct of the electoral procedure of the Management committee of the Victoria Park Belmont Baseball Club Inc.

These Rules must be strictly adhered to

INTERPRETATION

In these rules, unless the contrary intention appears:

'Organisation' means the Victoria Park Belmont Baseball Club Inc.

'Constitution' refers to the Constitution or rules of the Victoria Park Belmont Baseball Club Inc;

'Election rules' means those referred to in the organisation's Constitution or Rules;

'Member' means Senior financial player/member, Life Member and financial social member of the organisation;

'Returning Officer', in relation to an election, means the Returning Officer appointed for that election.

ELIGIBILITY OF ELECTORS

All electors must be eligible members as defined in the organisation's rules. Financial eligibility should be defined as at a certain date. Before the close of nominations the organisation will provide the Returning Officer with a statement of the date up to which financial membership is recognised for election purposes.

ELIGIBILITY OF CANDIDATES

All candidates must be financial members as defined in the organisation's rules. Candidates must consent to the nomination for a vacancy and signify their willingness to accept the office if elected.

POWERS OF RETURNING OFFICER

The returning officer may take such action and give such directions as are considered necessary for the conduct of an election:

- 1 to ensure the secrecy of the ballot and that no irregularities occur in or in connection with the election, or
- 2 To remedy any inconsistency or inadequacy that arises in the application of the rules of the organisation.

TIMES FOR NOMINATION

- 1 The Returning Officer shall determine the times and dates of the commencement and close of the period for lodging nominations of candidates for election for an office having regard to:
 - a. The date of expiration of the term of office of the holder of the office
 - b. The time required to lodge nominations
 - c. The time required to complete the election
 - d. The provisions of the rules of the organisation relating to the times and dates of the commencement and close of the period for lodging nominations in respect of the election.
- 2 The Returning Officer shall determine the place for lodging nominations of candidates for election.

NOTICE INVITING NOMINATIONS

- 1 The Returning Officer shall, not less than seven days and not more than 21 days before the date of commencement of the period for lodging nominations of candidates for an election for an office, cause to be published a public notice setting out:
 - a. The intention to hold an election
 - b. The name of the organisation
 - c. The title of the office
 - d. The number of members to be elected
 - e. The form in which nominations are to be made and where those forms can be obtained
 - f. The place for lodging nominations
 - g. The times and dates of the commencement and close of the period for lodging nominations, which shall be a period of not less than 7 days
 - h. Eligibility criteria for electors, candidates and nominators
 - i. The time and date of the ballot, if required
 - j. Inviting nominations of persons eligible for election for the office under the rules of the organisation to stand as candidates for the office.

- 2 The notice inviting nominations of candidates for election must be:
 - a. In a newspaper or newspapers circulating widely in the State, or
 - b. In a publication of the organisation, or
 - c. Circulated to all eligible electors by post.

FORM OF NOMINATION

- 1 Conditions for Nominations:
 - a. The candidate must be an eligible elector of the organisation.
 - b. The candidate must be nominated by the requisite number of nominators, if nominators are required by the organisation.
 - c. The candidate must nominate using the prescribed nomination form.
 - d. The candidate by notice signed by him or her, signifies willingness to accept the office if elected.
 - e. The candidate must provide a candidate profile by the close of nominations.

- 2 The profile of a candidate
 - a. Is to be in English language and is not to contain more than 150 words
 - b. Is to be confined to biographical information about the candidate and statements of the candidate's policies or beliefs and is not to contain information that the Returning Officer considers to be false, misleading or defamatory
 - c. Is to be hand written, typed or printed on a single A4 page, or if it is delivered electronically, is to be capable of being printed on a single A4 page.
 - d. Is to include the candidate's full name in the form in which he or she has asked for it to be included on the ballot paper and details of an address where he or she can be contacted. Other contact details such as telephone numbers or email addresses may also be included
 - e. May include a photograph (passport size) of the proposed candidates head or head and shoulders. The photograph should be recent, taken less than six months before the date of the nomination form. The Returning Officer may accept a less recent photograph if he or she considers that the photograph shows a reasonable likeness of the candidate.

- 3 Name on Ballot Paper
 - a. The nomination form shall include the candidate's name to be used on the ballot paper. The name to be printed on the ballot should include the surname and one or more of the candidate's given names (or an initial or a commonly accepted variation). To ensure fairness between candidates the Returning Officer may rule that a name is inappropriate for inclusion on the ballot paper. If so, he or she may ask the candidate to nominate another name or choose one he or she considers appropriate.

- 4 Rejection of Nomination
 - a. The Returning Officer may reject a nomination that does not conform to these rules. Before rejecting a nomination the Returning Officer may notify the person nominated and give the person the opportunity to remedy the defect, other than a defect relating to eligibility, within a specific period.

- 5 Withdrawal of Nomination

- a. A candidate may, by notice signed by him or her, and witnessed by an elector, and addressed to and lodged with the Returning Officer before the time and date fixed for the expiry of the period for lodging nominations, withdraw his or her consent to the nomination. That person shall be deemed not to have been nominated.
- 6 Candidates Elected Unopposed
 - a. Where, on the expiry of the period for lodging nominations, the number of eligible candidates does not exceed the number of offices to be filled, the Returning Officer shall declare those candidates to be elected unopposed to that office.
- 7 Insufficient Candidates
 - a. Where, on the expiry of the period for lodging the nominations of a candidate for election for an office, no nomination for that office has been received, the Returning Officer shall as soon as practicable after the expiry of that period, so advised the organisation.
- 8 Commencement and Close of Ballot
 - a. Where the number of candidates exceeds the number of offices to be elected, the Returning Officer shall determine the date of commencement of issuing ballot papers and the time and date of the close of the ballot having regard to:
 - i. The date of expiration of the term of office of the holder of the office
 - ii. The time required to send and return ballot papers by post
 - iii. The time required to complete the election
 - iv. The provisions of the rules of the organisation relating to the times and dates of the commencement and close of the ballot in respect of the election
- 9 Election Package
 - a. An election package posted to eligible electors shall contain:
 - i. A ballot paper
 - ii. An envelope marked 'Ballot Paper', which may have a declaration attached or, where the back of that envelope is not so used, a separate declaration is numbered to coincide with an identifying number shown against the name of that person on the Returning Officer's electoral roll
 - iii. Any voting instructions
 - iv. A candidate profile if applicable

Any or all these items may be printed as one stationery item.
- 10 Form of Ballot Paper
 - a. Security paper must be used or the initials must be used or the initials of the Returning Officer, or the facsimile of those initials, should be pre-marked on the ballot paper.
 - b. The order of names of candidates for election for an office that appear on the ballot paper for that election, shall be drawn by lot by the Returning Officer, as soon as practical following the close of the nominations.
 - c. The Returning Officer shall include on the ballot paper information and instructions to the voter with respect to the following matters and substantially in accordance with the following form:
 - i. The title of the office to which the election relates
 - ii. The names of the candidates
 - iii. The time and date of the close of the ballot
 - iv. Instructions on how to mark the ballot paper in order to record a formal vote
 - v. Instructions-
 - vi. To place the ballot paper, when completed, in the envelope marked 'ballot paper' and then seal the envelope to complete the details on the declaration
 - vii. To place the ballot paper envelope (and the declaration if a separate one is used) in the envelope addressed to the Returning Officer, and then to seal the envelope addressed to the Returning Officer and post it to reach the Returning Officer before the time of the close of the ballot.

- a. As soon as practicable after the date determined for the commencement of issuing ballot papers in respect of an election, the Returning Officer shall issue, by post to each person:
 - i. Whose name is on the roll referred to rule at the address shown on the roll, a ballot paper and the other ballot material in a sealed envelope and provide for the return of the ballot paper in a reply envelope.
- b. The envelope referred to shall bear an instruction that, if it is not delivered to the addressee:
 - i. In the case of an election conducted by the person referred to, it should be returned to the private box referred to

12 How to Mark Ballot Paper

- a. If the First Past the Post counting method is used, ballot papers should be marked as follows:
 - i. If only one office is to be filled at the election, an elector is to mark the ballot paper by placing a tick in the box opposite the name of the candidate whom the elector wishes to elect.
 - ii. If two or more offices are to be filled at the election, an elector is to mark the ballot paper by placing a tick in the box opposite the name of each candidate whom the elector wishes to elect, but is not to place ticks in more boxes than the number of offices to be filled.
 - iii. Voting by proxy shall not be permitted.

13 Ballot Boxes

- a. The Returning Officer is to provide such ballot boxes as are necessary for the election at the places at which ballot boxes are required under these rules.
- b. Before a ballot box is used to take ballot papers or envelopes, the Returning Officer or assistant is to satisfy himself or herself that it is empty and then secure it with a security device in a way that ensures that nothing can be removed from it without breaking the security device.

14 Scrutineers

- a. Each candidate nominated for election may, by written notice given to the Returning Officer, appoint a person who is eligible to be a scrutineer in respect of that election, being a person other than a candidate for that position.
- b. A scrutineer must make a declaration before the Returning Officer as prescribed.
- c. A scrutineer appointed under this regulation may:
 - i. Be present while the Returning Officer carries out his functions under these rules
 - ii. Not touch any ballot paper or envelope containing any ballot paper
 - iii. Direct the attention of the Returning Officer to:
 - 1. any irregularity concerning the issue of ballot papers
 - 2. the admission of any envelope to scrutiny
 - 3. the admission of a ballot paper as formal
 - 4. the rejection of a ballot paper as informal, or
 - 5. the counting of the vote
 - iv. Carry out any other functions of a scrutineer under the rules of the organisation.

15 Receipt of Ballot Papers

- a. Where an election is conducted by a Returning Officer appointed by the organisation of these election rules, the Returning Officer shall use, for the purpose of receiving ballot papers in respect of that election by post, a private box at a post office, being a private box used exclusively for that purpose.

16 Procedure for Checking Declarations

- a. Declarations are to be checked as follows:
 - i. The Returning Officer or assistant is to open each election package and remove the papers contained in it
 - ii. The Returning Officer or assistant is to check that the declaration is completed in accordance with these rules
 - iii. If satisfied, the Returning Officer or assistant is to mark the roll either manually or electronically
 - iv. If not satisfied as to the matters mentioned the Returning Officer or assistant is to make a record on the ballot paper envelope of its rejection without opening it or allowing it to be opened.
- b. The Returning Officer may compare signatures on declarations to membership applications and, if not similar, reject these.

- c. The Returning Officer may place all envelopes in a sealed ballot box until the count or prepare the ballot papers for the count.

17 The Count

- a. Votes must be counted by the First past the post method:
 - i. As soon as practical after the time of the close of the ballot, and in the presence of the scrutineer, if any, the Returning Officer may take the ballot box or boxes to the place of count.
 - ii. Where any voting papers are rejected, the Returning Officer shall mark the envelope 'rejected' with the reason(s) for rejection and set it aside for safe keeping.
 - iii. After the close of the poll, the Returning Officer, in the presence of scrutineers (if any) may open the sealed ballot box and take out the ballot paper envelopes and extract the ballot paper ready for the count.
 - iv. The Returning Officer may, from time to time, adjourn the scrutiny and count to a day and hour to be fixed by the Returning Officer and notify the organisation, candidates and scrutineers.

18 Informal Ballot Paper

- a. The Returning Officer shall reject as informal a ballot paper that is not printed on security paper or does not bear the initials of the Returning officer or the facsimile of those initials.
- b. The Returning Officer shall also reject as informal any ballot paper that is not marked substantially in accordance with the instructions on the ballot paper.
- c. Where, during the scrutiny, the Returning Officer is informed by a scrutineer that the scrutineer objects to a ballot paper being admitted as formal, or rejected as informal, as the case may be, the Returning Officer shall decide the matter and endorse his decision on the back of the ballot paper.
- d. The Returning officer is to be the sole and final judge of whether a ballot paper is formally or informal prior to the declaration of the result.

19 Preservation and Custody of Election Material

- a. On the completion of the counting of votes, the Returning Officer, in consultation with a representative of the organisation, shall make provision for the preservation and custody of:
 - i. all nomination papers
 - ii. all ballot papers admitted as formal
 - iii. all ballot papers rejected as not complying with the rules or informal
 - iv. all declarations relating to the ballot papers, whether formal or informal
 - v. all envelopes received after the close of the ballot
 - vi. all marked electoral roll against which the declarations were checked
 - vii. all unused ballot papers declarations and other documents prepared in connection with the election, which shall be placed in labelled containers, each endorsed with the name of the organisation and the office to which the election relates. These shall be sealed, signed and dated by the Returning Officer and retained for a period of not less than one year after the date of the election.

20 Fees and Costs of the Election

- a. All costs, charges and expenses incurred by the Returning Officer in connection with the election are to be paid by the organisation within 30 days of receipt of the invoice.
- b. Where the Returning Officer is appointed by the organisation to conduct an election, the organisation will be responsible for all costs, charges and expenses incurred in connection with that election.

21 Voting at Annual General Meeting

- a. If voting is required for election of officers of the club at the Annual General Meeting, Clause 13(a) of constitution, it may be done by show of hands or ballot or by division or as directed by the Returning officer.
- b. If more than 2 nominations are received for a vacant position at the Annual General Meeting voting will be conducted by ballot by the Returning Officer at the Meeting.
- c. The order of candidates on the ballot paper shall be in order of nominations received which shall be duly recorded in the minutes.
- d. Number of ballot papers shall correspond to the number of names on the attendance sheet.
- e. Number of completed ballot papers and the number of informal votes shall be noted
- f. At the conclusion of the count the Returning Officer shall advise the President of the result of the ballot

- g. On completion of the count the ballot papers will follow the Preservation and Custody of Election material set out in these procedures