

THE
CONSTITUTION

of



**EPPING EASTWOOD
TIGERS
INCORPORATED**

The following Rules (excluding the by-laws and regulations) are the Constitution of the above Club as submitted by the Executive Committee and adopted by the Club Members.

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PART I: PRELIMINARIES

Section 1: DEFINITIONS

- 1.01** "Executive Committee", unless expressly noted otherwise, shall refer to those members of the Club under Section 12.01 of these rules.
- 1.02** The "Club", unless expressly noted otherwise, shall refer to the Tigers Baseball and Softball Club.
- 1.03** "Senior Competition", shall refer to any independent League open for entries from the Club and specifically designed for open-aged / adult participants, but which may allow players under the age of eighteen (18) to enter.
- 1.04** "Junior Competition", shall refer to any independent League open for entries from the Club incorporating maximum age capping to be specifically designed for non-adult participants.
- 1.05** "Independent" members of the Club shall refer to any person covered under Section 4 of these rules who has no direct relation to another member for the purpose of the issue being raised – this includes family and team members.
- 1.06** "Financial" members of the Club shall refer to any person covered under Section 4 of these rules who has paid all financial dues of their membership for which the specified due date has lapsed.

Section 2: IDENTIFICATION

- 2.01** The "Club" shall be incorporated as Epping Eastwood Tigers Incorporated but be referred to generally unless expressly noted otherwise as Tigers Baseball and Softball Club.
- 2.02** The "Club Colours" shall be registered as black, gold and white with the governing bodies of baseball and softball within Australia if necessary.
- 2.03** The baseball playing caps of the Club shall be embroidered with the letter "T" in gold with a white outline a black background or as altered from time to time, to be determined by the officer bearers at General Meetings.
- 2.04** The softball playing caps of the Club shall be a printed letter "E" in gold on a black background or as altered from time to time, to be determined by the officer bearers at General Meetings.
- 2.05** The design of any mandatory uniforms or merchandise of the Club shall be incorporated into the by-laws and regulations of the Club.

Section 3: OBJECTIVES OF THE CLUB

- 3.01** The activities of the Club shall be to provide the following:
- (a)** To administer, coach and promote Baseball and Softball within the local community and competitions of the Associations from an approximate age of 5 years and continuing into Senior Competitions. The starting age of a Junior Baseball or Junior Softball player will be a discretionary issue to be determined by the respective parents/guardians and/or Coaches.
 - (b)** To administer and assist all players, under the control of the Club, to reach the highest level of competition available.
 - (c)** To provide teams wherever possible, so that players of all abilities may play and enjoy the game.
 - (d)** To create a positive community environment that encourages a desire for long-term membership from all members.
 - (e)** To encourage all players and members regardless of their level of ability to ensure everyone is involved with and enjoys being part of the Club.

- (f) To promote and observe principles of sportsmanship in all activities towards all those present, especially teammates, officials, opposition and spectators.
- (g) To conduct all activities within the scope and guidelines of rules and laws of superior organisations.



PART II: MEMBERSHIP

Section 4: COMPOSITION

4.01 The Club shall include the following members:

- (a) **Office Bearers** – those persons nominated to, and performing the duties of, any position specified in Section 11 of these rules.
- (b) **Team Members** – any person holding an official role within any team entered into any competition by the Club, and include:
 - i. **Coaches / Managers** – any person officially recognised as responsible for the conduct of any specific team entered into any competition by, and representing, the Club.
 - ii. **Players** – any person entered into any competition as a member of the Club.
 - iii. **Scorers** – any person officially recognised by the Club as responsible for the recording of details and results relating to their designated team. These details should include, but are not limited to play-by-play game details, scores and player statistics.
 - iv. **Team Umpires** – those persons officially recognised by the Club as offering their services to officiate games where required by their designated team.
 - v. **Any other** position not specifically mentioned, but who is required and officially recognised by the Club as belonging to any team entered into any competition as representatives the Club.
- (c) **Life Members** – any person whose contributions have been officially recognised by the Club as deserving of perpetual membership, granted in accordance with Section 9 of these rules.
- (d) **Affiliated supporters** – any person not holding an official capacity with the Club, as outlined above, but who has expressed a desire to participate with the Club in any other manner and is granted membership by the Executive Committee.
- (e) **Parent(s) / Guardian(s) of Minors** shall be granted the powers of membership in place of any member under the age of sixteen (16).
 - i. The term “Minor(s)” is used to reflect its legal definition and is not to be confused with the term “Junior”, which may be used with distinction for the setting of fees or other dues under Section 6 of these rules.
 - ii. Any person under the age of sixteen (16) and entered into a Senior Competition for a Club Team may apply to the Executive Committee for an exemption from this representation.

Section 5: APPLICATION FOR MEMBERSHIP OR AFFILIATION AND REGISTER OF MEMBERS

5.01 Any person applying for admission and/or affiliation to become a Club Member, as defined in Section 4.01 of these rules, shall present their application to the Executive Committee for approval.

- (a) Any person under the age of sixteen must also provide written consent of their activities from their parent(s) / guardian(s).

5.02 Any membership application(s) that is declined by the Executive Committee shall be advised via written communication from the Secretary or some other member of the Executive Committee.

5.03 All members' details, including but not exclusively their name, current address, date of birth, postal address, contact telephone number(s), playing history, any other modes of contact shall be recorded and maintained by the Summer and/or Winter Registrars.

5.04 Unless otherwise provided in these rules or the by-laws and regulations of the Club, a right, privilege or obligation which an individual has by reason of being a Member of the Club

cannot be transferred or transmitted to another individual, and terminates upon cessation of membership.

5.05 No person shall be granted membership whilst holding membership with another club within any Association that the Club is affiliated with.

Any member choosing to participate with another club holding affiliation in any association at the same time as the Club, without consent from the Executive Committee shall relinquish their membership with the Club.

5.06 Where any applicant has been a member of another baseball or softball club within Australia, the Executive Committee may refuse to permit the applicant to represent the Club in any manner if it is established that the applicant is in default in respect to his or her membership with a previous Club.

5.07 All players, outlined in Section 4.01(b) of these rules, must complete registration forms at the beginning of every season in which they wish to participate.

5.08 Coaches, Scorers, Team Umpires and any other recognised Team Member as outlined in Section 4.01(b) of these rules may nominate themselves for such positions, which shall be appointed by the Executive Committee.

(a) Coaches, Scorers, Team Umpires and any other person holding official positions with a team must hold all necessary accreditation and training required by the relevant associations entered into by the Club before being appointed to such positions.

5.09 The Office Bearers, with the exception of Coaches and Recognised Assistants, shall be elected at the Annual General Meeting as per Section 10 and 19 of these rules.

(a) Any Office not filled at the Annual General Meeting shall be filled at the Executive Committee's discretion.

5.10 The public officer or some other person so nominated must establish and maintain a register of members of the Club specifying the name and address of each person who is a member of the Club together with the date on which the person became a member.

Section 6: FINANCIAL REQUIREMENTS OF MEMBERS AND MEMBERS LIABILITIES

6.01 The registration or membership fee of each player, including the due dates for payment and instalment fee required upon lodgement of the membership application form shall be established for each year or season by the Executive Committee.

6.02 Registration or membership fees shall not be refunded unless under extenuating circumstance.

6.03 All Office Bearers as defined in Section 4.01(a) shall be deemed to hold such position for the following year upon their appointment, as outlined in Section 10 of these rules, provided they execute the duties in accordance with Section 11 of these rules.

6.04 The Summer and/or Winter Registrars shall maintain a record of all financial Members during the respective seasons and as outlined in section 11.06 of these rules.

6.05 Any Member failing to pay the registration or membership fee within the prescribed period shall forfeit their right to play or vote and may be debarred from taking part in any competitions, meetings, or any other Club activities until such fees have been paid.

6.06 Failure to pay Club dues of all kinds may be considered as reasonable for posting a player or member as a defaulter. This includes, but not exclusively, levies, fines, fees provided for in Club Rules, equipment, uniforms, batting fees, insurance fees, and tickets for Club functions issued by the Club through the Executive Committee.

(a) Such member or members shall be deemed to continue in default until such time as he/she pays the amount due to the Treasurer of the Club whom shall issue a receipt thereof.

(b) Any member placed into, or notified of the Club's intention to place into, default shall have the right to obtain a clearance from the Committee upon an agreed pro-rata payment basis of the monies owed by such player or member.

Section 7: DURATION OF MEMBERSHIP OR AFFILIATION

- 7.01** All memberships with the Club shall have the following natural durations:
- (a) All Office Bearers shall hold such membership from the day of their appointment until that position is declared vacant at the opening of the next Annual General Meeting.
 - (b) Any Team Member, as outlined in Section 4.01(b) of these rules, shall be considered to be a member of the Club for the duration of the playing season for which they register and identified on the registration form or application for membership, unless rescinded through activities outlined in Section 7.02 of these rules.
 - (c) All life memberships shall have no limit of duration.
 - (d) Any parent(s) or guardian(s) granted powers of membership of a minor shall hold such membership until any of the following applies:
 - i. The natural duration expires as outlined in Section 7.01(b) of these rules;
 - ii. The minor's (whose membership powers has been assumed) sixteen (16th) birthday;
 - iii. The minor is granted autonomous membership in accordance with Section 4.01(e)ii. of these rules.
- 7.02** Notwithstanding an approved application made to the Executive Committee, Membership of the Club shall cease outside of the natural duration, as outlined in Section 7.01 of these rules, upon death, expulsion, resignation of a member or under unapproved dual membership, as outlined in Section 5.05 of these rules.
- (a) A member is not entitled to resign his / her membership unless all monies owed and / or obligations outstanding to the Club as part of that membership have been resolved with the Executive Committee, and written notice have been forwarded to the Secretary.
 - (b) Expulsion must occur within the guidelines of Section 8 of these rules.
- 7.03** Notwithstanding an approved application made to the Executive Committee, membership as an Office Bearer shall cease outside of the natural duration upon death, resignation (in accordance with Section 7.02(a) of these rules) becomes mentally incapacitated, is removed from office (in accordance with Section 8 of these rules) becomes bankrupt or is absent without notice from three consecutive General Meetings.
- 7.04** Any official absenting himself/herself from three consecutive meetings, without reasonable cause or, by tendering his/her resignation in writing, shall be deemed to have vacated his/her position and a new official shall be elected at a subsequent General Meeting at the Executive Committee's discretion.
- 7.05** If at any meeting a motion of which due notice has been given in compliance with Section 15.10 of these rules to the effect that a member has rendered him/herself unworthy to belong to the Club, and is passed by a special resolution, such member or members shall cease to belong to the Club.

Section 8: SUSPENSIONS AND DISQUALIFICATIONS

- 8.01** The jurisdiction of the Club to consider matters with regard to alleged misconduct of its members shall extend to any time or place whereby a member is identifiable as a member of the Club and acts in a manner contrary to the principles of the Club's Objectives, as outlined in Section 3 of these rules. Such actions may also include
- (a) Breaches of Club rules, standing orders or procedures as defined and approved by the Club from time to time;
 - (b) Breaches of the player, manager or coach Code of Conduct as published by the various Associations in which the Club enters teams;
 - (c) Reports received by the Club from Umpires or Associations in regards to player/coach/manager misconduct, expulsions, fines or other reports;

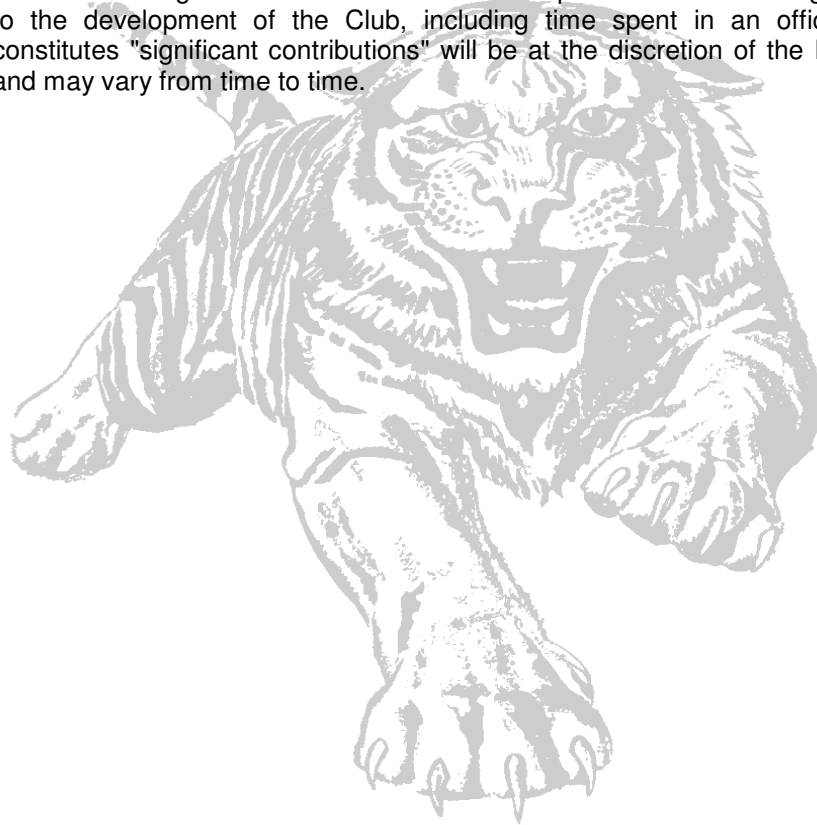
- (d) Failure to pay player fees on time or as required;
 - (e) Misconduct or behaviour that may damage the reputation, image or standing of the Club.
- 8.02** In the event of any member violating the Constitution of the Club or neglecting to comply with the direction of the Club, such member shall be liable to penalties as directed by the Executive or Judiciary Committee deciding on the matter.
 - (a) Penalties for misconduct include, but not exclusively, monetary fines, suspension from participating in Club activities or teams, and expulsion from the Club.
- 8.03** When a member of the Executive Committee, manager, coach, player or other member becomes aware of an allegation of the type of misbehaviour or misconduct as outlined in Section 8.01, he/she must raise it immediately with the Club President so that it may be placed on the Agenda for the upcoming meeting of Executive Committee members.
- 8.04** The Executive Committee members will determine the seriousness of the allegation and take any action it believes necessary and in accordance with these Rules. If the Committee deems the allegation to be serious enough, a hearing may take place at the direction of the Executive Committee or further investigations followed by a determination without the need for a hearing may also occur.
- 8.05** Any person hearing a matter must be held to be an independent (unrelated) member of the Club.
 - (a) In such cases where a member hearing in an issue is not an independent member, the Executive Committee may, at its discretion, appoint a temporary member to the appropriate committee for the purpose of resolving the matter.
- 8.06** In the event that no hearing takes place, the Executive Committee may also take the following action after the appropriate investigations have been made:
 - (a) Take no further action; and/or
 - (b) Issue a verbal counselling; and/or
 - (c) Issue a First warning; and/or
 - (d) Issue a Second and Final warning; and/or
 - (e) Issue a player suspension, expulsion or other coaching, managing, playing or membership sanction.
- 8.07** Any member who has sanctions imposed upon them, as provided in Sections 8.02 and/or 8.06 of these rules, shall have the right to appeal any decision to the Executive Committee for a final decision.
 - (a) Any re-hearing of matters shall be given due notice from the Executive Committee and outline guidelines for the interim period.
 - (b) The failure of the player to appear at the appointed time shall not affect the right of the Executive Committee to decide the appeal.
- 8.08** Any member whilst under suspension shall forfeit his/her rights and privileges held under the Club Rules, he/she shall cease to serve on the Executive Committee or any other committees, and shall be debarred from competing in any match held under the auspices of the Club.
- 8.09** Any member under suspension or disqualification shall be debarred from playing in any match under the control of the Club and no member of the Club affiliated therewith shall play in any match whatever, in which such disqualified or suspended person plays.
- 8.10** No Club member shall participate in any match for whom sanction has been refused by the Executive Committee or play with or against any club or player suspended by the Association.
- 8.11** The Secretary of the Club shall immediately notify the Baseball or Softball Association Secretaries of all suspensions and disqualifications imposed by the Club or the Executive Committee.

Section 9: LIFE MEMBERSHIP

9.01 Any person to be considered for Life Membership must have a nomination forwarded to the Executive Committee for consideration and signed by no less than five (5) financial and independent (unrelated to the nominated person) members of the Club.

- (a) The Executive Committee shall evaluate all nominations for Life Membership based upon that person's contributions to the Club.
- (b) The Executive Committee must unanimously agree that a nomination for Life Membership be accepted otherwise the nomination will be refused.
- (c) The Executive Committee shall advise the nominating party of their decision in writing within a reasonable time.

9.02 A Member being nominated for Life Membership must have made significant contributions to the development of the Club, including time spent in an official capacity. What constitutes "significant contributions" will be at the discretion of the Executive Committee and may vary from time to time.



PART III: OFFICE BEARERS / COMMITTEE MEMBERS

Section 10: NOMINATION

- 10.01** Office Bearers shall be elected at the Annual General Meeting, with the exception of Club Coaches, and no Office Bearer shall hold more than one position under these Rules, where practicable.
- 10.02** No two members of the same household shall hold Executive Committee positions with the same portfolio at the same time, where possible.
- (a)** Should it be found necessary that two members of the same household are to hold Executive positions at the same time, only one Executive vote shall be permitted per household.
- (b)** No two members of the same household can hold office with similar cash management portfolios.
- 10.03** Nominations for all Office Bearers may be made in writing, provided they are seconded by a financial member and given to the incumbent Executive Committee any time prior to the Annual General Meeting, at which time they will be presented to the members or called for from the members present.
- (a)** All nominations shall be moved and seconded.
- 10.04** Written consent must be obtained from any nominee who is absent on the day/night of the election.
- 10.05** If more than the required number be nominated for any position, an election, be it secret ballot or show of hands shall take place, and in such an event, two scrutineers shall be appointed at the meeting. In case of a drawn ballot, a vote shall take place until the position is resolved.
- (a)** The method of determining the ballot will be by the system of first past the post.
- 10.06** Any extraordinary vacancy as Office Bearer or representative of the Club or member of any Committee shall be filled at one of the next General Meetings at the Executive Committee's discretion.

Section 11: DUTIES OF THE OFFICE BEARERS

- 11.01** With the exception of the Honorary Auditors, outlined in Section 11.14 of these rules, all Office Bearers described in Section 11 of these rules are required to attend, and report where necessary to every General Meeting.
- (a)** Any Office Bearer absenting himself/herself from three consecutive meetings, without reasonable cause or, by tendering his/her resignation in writing, shall be deemed to have vacated his/her position and a new member shall be appointed at the Executive Committee's discretion.
- 11.02** Pursuant to Section 7.03 of these rules, any financial member of the Club is eligible to stand for and execute any of the positions of Office Bearer. The only exception to this shall be the positions of President and Treasurer who, due to requirements under the *Associations Incorporation Act 1984* as Public Officer and/or signatory to contracts, must be over 18 years of age. Furthermore, and subject to Section 10.02 of these rules, any direct family member of a financial member of the Club is also eligible to stand for and execute any of the positions of Office Bearer.
- 11.03** The Duties of the **President** shall include, but not be limited to:
- (a)** To preside at all meetings (excluding sub-committees after a Chairperson has been elected).
- (b)** To maintain law and order, and to observe the rules of the debate, at all such meetings.

- (c) To preside over the management of the Club.
- (d) To be the point of negotiation for all third party organisations or to appoint an appropriate member of the committee to be the point of negotiation.
 - i. Any arrangement with a third party organisation and the Club must be attested with the signature of the Club President or authorised person.
- (e) Overseeing the active seeking out of third party support such as sponsorship.
- (f) To liaise with all necessary Government Authorities and do all other matters and things on behalf of the Club from time to time as is required by law.

11.04 The Duties of the **Treasurer** shall include, but not be limited to:

- (a) To receive and receipt monies due to the Club and pay it within thirty (30) days to such bank, building society or credit union as the Club may determine to the credit of the Club when possible.
- (b) To keep a true and correct account of the monies belonging to the Club.
- (c) To submit all financial statements as outlined in Section 22 of these rules.

11.05 The Duties of the **Secretary** shall include, but not be limited to:

- (a) To record proceedings of all meetings, except sub-committees.
- (b) To keep in his/her custody all the hardcopy records of the Club, all minute books and other documents including historical material of the Club. A soft copy of the above mentioned materials will be maintained by the President where practical to do so.
- (c) To notify all relevant members and third parties of issues relating to the Club as outlined in these rules.
- (d) To perform the clerical work of the Club and to carry out all directions given at the meetings of the Club and its Committees.
- (e) To maintain the registry of the Club including, but not limited to details such as address, contact details, fees due and fees paid in conjunction with the Summer and/or Winter Registrar.
- (f) To notify immediately the Association and League Secretaries of all suspensions and disqualifications or defaults imposed by the Club.
- (g) To be a point of contact for all enquires relating to the Club and ensuring responses are followed-up by themselves or the relevant member.

11.06 In relation to their respective seasons, the duties of the **Summer Registrar** and **Winter Registrar** shall include, but not be limited to:

- (a) To register the names, addresses and contact details of all Team Members, as outlined in Section 4.01(b) of these rules, for that season.
- (b) To record the fees due for all Team Members, as outlined in Section 4.01(b)(ii) of these rules, for that season.
- (c) To update the Secretary and Treasurer of all current teams lists, and to assist in synchronising all details between them.
- (d) To regularly update Coaches on the financial position of their team and notify them of upcoming due dates.
- (e) To collect any monies owing to the Club from the aforementioned registrations in liaison with the Club's Treasurer.

11.07 The Duties of the **Child Safety Officer** shall include, but not be limited to:

- (a) Undertake the roles of an authorised officer under the relevant Child Protection legislation which is subject to change from time to time.
- (b) Apply relevant legislation, delegations, policies and quality standards.

- 11.08** The Duties of the **Promotional Officer** shall include, but not be limited to:
- (a) Overseeing the promotion of the Club within the local district and to the wider community through best / most available means wherever possible.
 - (b) Overseeing the Club's internal communication including a regular publication for all members and other means possible.
 - (c) Overseeing the organisation of social activities of the Club including, but not exclusively, Gala Days, Photographic Sessions and Presentation Nights, subject to the direction of the Executive Committee.
- 11.09** The Duties of the **Equipment Manager** shall include, but not be limited to:
- (a) To advise the Executive Committee of equipment required for safe and proper competition relating to the teams of the Club to provide all teams with suitable kits and balls wherever possible before commencement of each season.
 - (b) To keep a register of all equipment and arrange for its storage in a secure area, to supply to players at the commencement of each season.
 - (c) To monitor stock levels of uniforms and other Club merchandise and advise the Executive Committee when orders are required to ensure stock is available.
 - (d) To make provisions to ensure team kits are returned in reasonable conditions and intact from completion of each season.
- 11.10** The Duties of the **Canteen Manager** shall include, but not be limited to:
- (a) Responsible for stock and ordering of stock and anything pertaining to the canteen.
 - (b) To arrange storage of the Club's canteen stock in a secure location.
 - (c) The determining of a canteen roster for each season and supply to the Executive Committee to be enforced.
 - (d) To keep a record of accounts, this will be subject to three monthly checks by the Club's Treasurer.
 - (e) To report all activities to the members of the Club at the General Meetings.
- 11.11** The Duties of **the Club Delegate(s)** shall include, but not be limited to:
- (a) Report to the members at the General Meetings on all matters from external associations to which they have been assigned.
 - (b) To immediately advise the Executive Committee of any urgent matters raised at meetings of external associations to which they have been assigned.
 - (c) The Executive Committee, if required by affiliated associations, may increase these positions, with appointed members.
- 11.12** The Duties of the **Club Coaches** shall include, but not be limited to:
- (a) To make a personal commitment to stay informed of sound coaching principles and the principles of growth and development of their players.
 - (b) To act in their players' best interests throughout the season in order to ensure both competitiveness and developmental growth of all Team Members through equitable game participation.
 - (c) To ensure they obtain and maintain any accreditation required by the respective associations in which their team(s) participate.
 - (d) To ensure proper and good conduct of themselves and their players at all events, so as not to bring the Club into disrepute.
 - (e) To monitor fees owed by their Team Members and advise them of due dates and penalties for failing to make such payments.

- (f) To ensure team kits and all equipment belonging to the Club is kept in reasonable condition throughout the season and returned to the Club upon request.



PART IV: COMMITTEES

Section 12: EXECUTIVE COMMITTEE

- 12.01** The Executive Committee shall consist of the Club President, Secretary, Treasurer and any other Office Bearers, as outlined in Section 11 of these rules - with the exception of the Coaches - and are to be elected to the Executive Committee at the Annual General Meeting.
- 12.02** Meetings of the Executive Committee shall be held at such times and places as they determine.
- (a) Special Meetings of the Executive Committee may be summoned by the Secretary or President or on a requisition signed by two members, thereon.
- 12.03** The Executive Committee shall determine alternative members to carry out the duties of its members in their absence, including, but not exclusively, performing duties of chairperson or reporting to the General Meeting of matters considered.
- 12.04** The Powers and Duties of the Executive Committee shall include, but not exclusively be:
- (a) To ensure that only members registered with the Club shall participate in the game.
- (b) To investigate and report to the Executive Committee on all applications for admission of new members.
- (c) To deal with all correspondence and accounts, except those relevant to the General Meeting, and any matters requiring attention between meetings.
- (d) To consider all submissions and applications made to them as provided within these rules.
- (e) To appoint any Special Committees to consider and report on any questions that may be referred to them.
- i. The number to form a Special Committee and the number to form a quorum at such meetings shall be determined by the Executive on each occasion.
- ii. Such Special Committees shall advise and report to the Executive on each occasion.
- (f) To deal with appropriate matters including refunds, disputes, protests, dismissal of players or members from the field and misconduct of players or members on or off the field, etc. The decision of the Executive shall be final.
- i. Any matter referred to the Executive Committee regarding misconduct, inappropriate behaviour, or similar matter may, at their discretion, be referred to the Judiciary Committee of the Club as appointed from time to time by the Executive Committee.
1. Any matter referred to the Club's Judiciary Committee by the Executive Committee shall notify the members involved with the inappropriate action and those to hear the matter of the issue and time and date of the hearing.
- (g) In the event of any member of the Executive Committee being involved in a matter before the Committee, such member shall not be eligible to participate in the discussion as part of the Committee.
- i. In such cases the Executive Committee may, at its discretion, appoint a temporary member to the Executive Committee for the purpose of hearing such matters.
- (h) To ensure all members abide by and compete within the Constitution(s) of the affiliated Baseball and Softball Associations and respective Baseball and Softball Leagues.

- (i) To appoint coaches, managers, scorers and umpires and to grade players and their teams together with the assistance of officials appointed by the Executive Committee.

12.05 Any member of the Executive Committee absenting himself/herself from three consecutive meetings, without reasonable cause or, by tendering his/her resignation in writing, shall be deemed to have vacated his/her position and a new official shall be elected at a General Meeting called at the Executive Committee's discretion.

12.06 To report to the Executive Committee at each meeting with particulars of all matters dealt with.

12.07 Only the Executive Committee may grant a player clearance to play for a team other than that which they have been registered with.

Section 13: JUDICIARY COMMITTEE

13.01 Meetings of the Judiciary Committee shall be held at such times and places they determine and will consist of at least 3 people as determined by the Executive Committee from time to time.

13.02 Meetings of the Judiciary Committee shall be summoned by the Executive Committee upon receiving information of inappropriate conduct for their consideration.

13.03 The Judiciary Committee shall deal with, but not exclusively, appropriate matters including disputes, protests, dismissal of players from the field and misconduct of members on or off the field, pertaining to the Senior and/or Junior Competitions.

13.04 In the event of any member of the Judiciary Committee being involved in a matter before the Committee, such a member shall not be eligible to remain on the Committee for the purpose of the hearing of the complaint. In such cases the Executive Committee shall appoint a temporary member to the Judiciary Committee.

Section 14: SPECIAL COMMITTEES

14.01 Special Committees may be formed at any time on the direction of the Executive Committee to investigate any matter or to be responsible for the planning and execution of any special event relating to the Club, or for any other purpose so called by the Executive Committee.

14.02 The Executive Committee may nominate which member of a Special Committee shall serve as chairperson, or they may permit those members of the said committee to self-elect their chairperson.

- (a) The Chairperson of any Special Committee shall have the powers and conduct meetings as outlined in Section 18 of these rules.

14.03 The Special Committee shall exist for as long as required to thoroughly complete the function(s) for which it was formed.

- (a) Provided that all members of a Special Committee remain as financial members (where applicable), and provided that their appointment to said committee was not a direct result of their Office, outlined in Section 11 of these rules, the composition shall not be affected by its timing in the financial year.

- i. Where the function of a Special Committee carries beyond any Annual General Meeting and a member appointed within the said committee as a direct result of their Office is not re-elected, they may apply to the Executive Committee to be retained until the matter for establishing the Special Committee is resolved.

14.04 The Executive Committee, at any time, may appoint new members to a Special Committee.

14.05 Any member of a Special Committee absenting himself/herself from three consecutive meetings, without reasonable cause or, by tendering his/her resignation in writing, shall be deemed to have vacated his/her position and a new member shall be appointed at the Executive Committee's discretion.

14.06

Upon thorough completion of the function for which the Special Committee was formed, the chairperson of that committee shall submit a final report to the Executive Committee and the President shall thank such members for their service and formally dissolve the said committee.



PART V: MEETINGS

Section 15: DECISION MAKING

- 15.01** A question arising at a meeting of the Executive Committee is to be determined on a show of hands and, a declaration by the chairperson that a resolution has, on a show of hands, been carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minutes of the Club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour or against the resolution.
- 15.02** All Members of the Executive Committee shall be entitled to one vote in any decision put before a meeting, provided all fees due as part of their membership (where applicable) have been paid.
- 15.03** The manner of deciding a resolution shall be the 'first past the post' system requiring more than fifty percent (50%) of those Executive Committee members present at the meeting and entitled to vote.
- 15.04** Postal ballots will not be accepted for the purposes of any resolution.

Section 16: QUORUMS

- 16.01** Quorums for the commencement of all meetings shall be as follows, but shall not proceed with less than three (3) Executive Committee members being present:
- | | |
|-----------------------------|----|
| (a) Annual General Meetings | 15 |
| (b) General Meetings | 5 |
| (c) Special Meetings | 5 |
| (d) Judiciary Meetings | 3 |
- 16.02** In the event of a quorum not being met at any meeting, the members then present may adjourn for another date, within fourteen (14) days, to transact the business for which the meeting was originally called, provided there be three (3) or more members present.
- 16.03** If at the any meeting, a quorum is not present within thirty (30) minutes of the appointed time for that meeting, the meeting shall be dissolved.

Section 17: MOTIONS FOR RESOLUTION

- 17.01** No motion affecting these Rules or Objects of the Club shall be discussed or voted upon under any circumstances unless due notice has been given as outlined by Section 27 of these rules.
- 17.02** No motion shall be discussed until seconded, and once seconded shall not be withdrawn without leave of both the mover and the seconder of said motion.
- 17.03** No notice of motion which shall have been entered on the business paper shall proceed in the absence of the member by whom such notice shall have been given, unless by some other person producing written authority for that purpose from such first named member.
- 17.04** When a motion shall have been moved and seconded any member shall be at liberty to move an amendment thereon which shall not be discussed until it is seconded.
- 17.05** No motion for adjournment can be proposed or seconded by those who have spoken on the motion that is before the meeting, or who may have moved or seconded an amendment thereto. Nor can a motion for adjournment be moved or seconded whilst an amendment is under consideration, by those who have spoken on that amendment.

Section 18: MEETING PROCEDURES

- 18.01** The President of the Club shall be the chairperson at all General Meetings, in his / her absence the alternative member nominated by the Executive Committee, outlined in Section 12.03 of these rules, shall adopt such a role.

- 18.02** Subject to the right of the Club to exclude all but Club members, any person may attend the meetings, but none other than Club members shall be allowed to speak or vote, without leave of the meeting.
- 18.03** In the event of a General Meeting lapsing, the business thereof shall take precedence at the next meeting.

Section 19: ANNUAL GENERAL MEETING

- 19.01** The Annual General Meeting of the Club shall be held at the conclusion of the Summer Competitions and prior to the commencement of the Winter Competitions that the Club may be entered into.
- 19.02** Notice of such meeting, stating the purpose for which it is convened shall be forwarded all members of the Club at least fourteen (14) days prior to holding the meeting.
- 19.03** The Club President shall be the Returning Officer.
- (a) In the absence of the Club President, due to any reason, a Returning Officer will be elected from the Executive Committee members present.
- (b) The Powers and duties of the Returning Officer shall be:
- i. To conduct all elections and ballots of the Club.
 - ii. To confirm, using the records maintained by the Registrars, the eligibility of all members to stand, and/or vote at an election or ballot.
 - iii. To generally advise members of the Club, on the conduct of election and ballots.
- 19.04** Agenda
- (a) To receive and adopt the Minutes of the previous Annual General Meeting and to receive the Annual Report and Treasurer's Statement.
- (b) To declare all positions of the Club as vacant.
- (c) To elect Office Bearers, as outlined in Part III of these rules, and in accordance with Section 5.09 of these rules, which may consist of:
- i. President, Treasurer, Secretary, Summer Registrar, Winter Registrar, Development Officer, Promotional Officer, Equipment Manager, Canteen Manager, Head Grounds Person, and Delegates.
- (d) To conduct any other urgent business pertaining to the Club.

Section 20: GENERAL MEETINGS

- 20.01** All general Meetings shall be convened at a time and place and with regular intervals as determined by the Executive Committee, and shall occur no less than eight (8) times in a financial year, not including the Annual General Meeting.
- 20.02** Notice of such meeting, stating any additional business to be considered shall be forwarded to all members of the Executive Committee at least seven (7) days prior to holding the meeting.
- 20.03** At all meetings of the Executive Committee the order of business shall be:
- (a) Apologies.
 - (b) Reading and confirmation of the Minutes.
 - (c) Business arising from the Minutes.
 - (d) Correspondence.
 - (e) Financial Statements.
 - (f) Reports of Office Bearers.
 - (g) Reports of sub-committees.

(h) General Business

20.04

Any General Meeting that would be scheduled at a time where there is no activity, or business raised relating to the Club, may be dissolved by the Executive Committee.

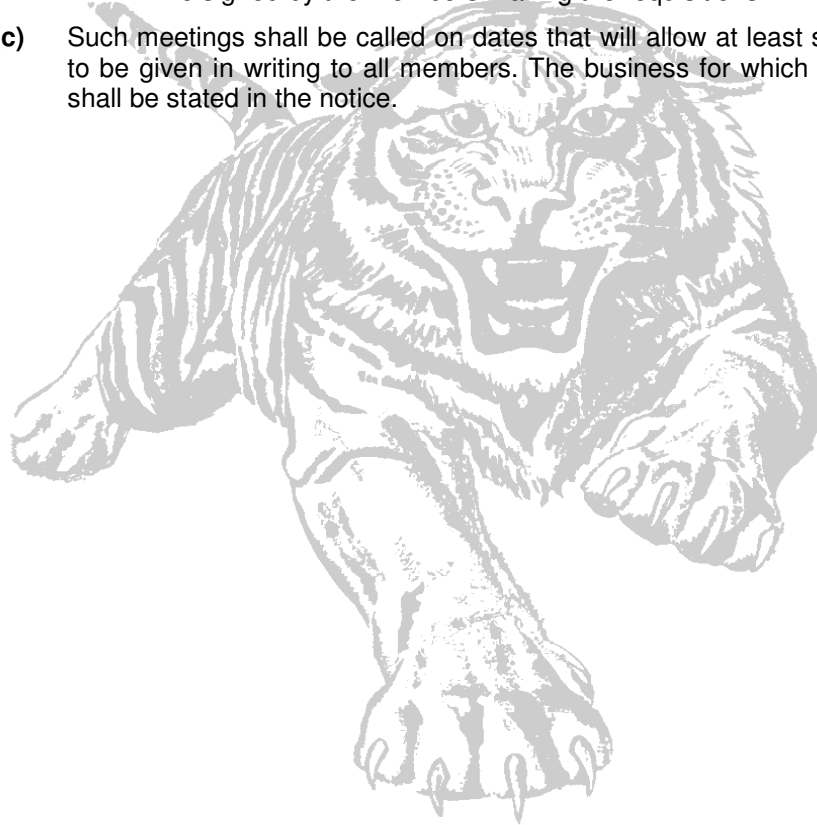
Section 21:

SPECIAL MEETINGS

21.01

Special meetings of the Club will be convened as soon as possible by:

- (a) A resolution of the Executive Committee.
- (b) A requisition signed by no less than five (5) financial and independent members, which shall:
 - i. State the purpose or purposes of the meeting.
 - ii. Be signed by the members making the requisitions.
- (c) Such meetings shall be called on dates that will allow at least seven (7) days notice to be given in writing to all members. The business for which the meeting is called shall be stated in the notice.



PART VI: ADMINISTRATIVE FUNCTION

Section 22: BANKING AND ACCOUNTS

- 22.01** Subject to any resolution passed by the Executive Committee in any General Meeting, the funds of the Club are to be used in pursuance of the Objects, as outlined in Section 3 of these rules, in such manner as the Executive Committee determines.
- 22.02** The Club shall open a Bank, Building Society or Credit Union account in the name of Epping Eastwood Tigers Inc. All cheques drawn on such accounts shall be signed by two members of the Executive Committee.
- 22.03** The Executive Committee shall have power, on behalf of the Club, to pass for payment such accounts that are tendered, for work required by, and at other times as the Executive may direct.
- 22.04** All accounts shall be passed to the Treasurer and he/she shall submit a statement of the financial position of the Club at each meeting, and at other times as the Executive may direct.

Section 23: FINANCIAL YEAR

- 23.01** The financial year of the Club shall be from the 1st of March of the calendar year to the 28th or 29th of February of the following calendar year.

Section 24: SPONSORSHIP

- 24.01** All Sponsorship funds are to be banked into the Club's account(s) as so decided upon by the Executive Committee, unless the sponsor contributes by the way of "non-bankable" contribution(s).
- 24.02** The Treasurer shall issue the Club's personal cheque for payment of any purchases made with Sponsorship monies or arrange for payment by other appropriate methods acceptable by law.
- 24.03** All sponsorship proposals must be set out as required on the proposal form. The Secretary will hold these forms.
- 24.04** The minimum requirements for any Sponsorship proposal shall be:
- (a) The Sponsor's name, address, phone number and contact name;
 - (b) The amount of Sponsorship;
 - (c) Term of Sponsorship;
 - (d) What the Sponsor expects for his/her contribution;
 - (e) The way in which the Sponsor's funds are anticipated being utilised; and
 - (f) Full costing of how the Sponsor's funds are to be utilised.
- 24.05** All sponsorship proposals must be presented to the Executive Committee who shall be solely responsible for the acceptance or declination of any such proposal. If a proposal is so declined the Executive shall give notice of their decision.
- 24.06** Any recognition of any external organisation not consented to by the Executive Committee shall not be permitted. This also includes recognition of an official sponsor beyond the agreed term of support as required by these rules.

PART VII: MISCELLANEOUS

Section 25: INSURANCE

- 25.01** Insurance, other than that provided by any affiliated associations, is the sole responsibility of each individual player or associated parent/guardian.
- 25.02** The Club will accept no liability beyond any legal negligence for any death, injury or mishap however occasioned, whether it occurs on the field during competition games, at practice or any social function.

Section 26: PAYMENT AND SOURCE OF FUNDS AND MANAGEMENT OF FUNDS

- 26.01** No member shall receive payment for the playing of baseball or softball or support to the Club.
- 26.02** Members may be reimbursed for expenses relating to the execution of their duties, as outlined in Section 11 of these rules, provided prior consent has been obtained from the Executive Committee or Club President for the spending of such monies, and receipts are provided.
- 26.03** The funds of the Club are to be derived from registration fees of members, donations and sponsorships and, subject to any resolution passed by the Club in general meeting, such other sources as the Committee determines.
- 26.04** All monies received by the Club must be deposited as soon as practicable and without deduction to the credit of the Club's bank account.
- 26.05** Subject to any resolution passed by the Club in general meeting, the funds of the Club are to be used in pursuance of the objects of the Club in such a manner as the Committee determines.
- 26.06** All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any two members of the Committee, being members authorised to do so by the Committee.

Section 27: ALTERATIONS TO THE RULES OR OBJECTS OF THE CLUB

- 27.01** Alterations to the Constitution can only be made at the Annual General Meeting or a Special Meeting called for that purpose.
- (a)** The Secretary must receive a written nomination, setting out the proposed alteration, signed by no less than five (5) independent members, at least one month prior to the Meeting at which it is proposed to alter the Constitution.
 - (b)** The Secretary shall issue a motion addressed to all Club members advertising and setting forth the motion, at least fourteen (14) days prior to the meeting.
 - (c)** Deciding the success or failure of such proposed alteration shall be by way of Special Resolution, provided there is a sufficient number of members present as would be required to satisfy a quorum for an Annual General Meeting.
- 27.02** Alterations to the Objects of the Club, as outlined in Section 3 of these rules, can only be made at the Annual General Meeting or a Special Meeting called for that purpose.
- (a)** The Secretary must receive a written nomination, setting out the proposed alteration, signed by no less than five (5) independent members, at least one month prior to the Meeting at which it is proposed to alter the Constitution.
 - (b)** The Secretary shall issue a motion addressed to all Club members advertising and setting forth the motion, at least fourteen (14) days prior to the meeting.
 - (c)** Deciding the success or failure of such proposed alteration shall be by way of Special Resolution, provided there is a sufficient number of members present as would be required to satisfy a quorum for an Annual General Meeting.

- 27.03** Alterations to the by-laws of the Club may be made at any General Meeting of the Club or a Special Meeting called for that purpose.
- (a) A written nomination, setting out the proposed alteration, signed by no less than three (3) independent members, must be received by the Secretary at least two weeks prior to the Meeting at which it is proposed to alter the by-laws.
 - (b) The Secretary shall issue a motion addressed to all Club members advertising and setting forth the motion, at least seven (7) days prior to the meeting.
 - (c) If at a General Meeting a concern is raised over the by-laws, and the number of members present is greater than that required for a quorum of an Annual General Meeting, then a resolution may be passed without the notice given, as outlined in Section 27.03(a) of these rules.

Section 28: CLUB BOOKS

- 28.01** The books, including soft copy records of the Club, will be made available to any member upon written application at a reasonable date and time at no charge.

Section 29: MEMBERS' LIABILITIES

- 29.01** The liability of a member of the Club to contribute towards payment of the debts and liabilities of the Club or the cost, charge and expenses of the winding up of the Club is limited to, if any, membership and registration fees or additional monies unpaid by the member.

Section 30: SERVICE OF NOTICES

- 30.01** For the purpose of these rules, a notice may be served on or given to a person:
- (a) By delivering it to the person personally, or
 - (b) By sending it by pre-paid post to the address of the person, or
 - (c) By sending it by facsimile transmission, e-mail or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- 30.02** For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:
- (a) In the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) In the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (c) In the case of a notice sent by facsimile transmission, e-mail or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.