



# Sydney Women's Baseball League Incorporated Constitution

## Part 1 – Preliminary

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### 1. Name:

The name shall be the “Sydney Women’s Baseball League” Incorporated.

### 2. Definitions

- 2.1 In this Constitution, the following words and expressions shall have the following meanings:
- a) “NSWBL” shall mean the New South Wales Baseball League.
  - b) “League” shall mean the Sydney Women’s Baseball League Incorporated.
  - c) “Club” shall mean a registered Club as constituted under this Constitution.
  - d) “Team” shall mean a registered team as constituted under this Constitution.
  - e) “Member” shall mean all members of the League.
  - f) “Committee” shall mean the Committee of the League as constituted under this Constitution.
  - g) “Season” shall mean the dates between and including the first game played and the Grand Final game played.
  - h) “ordinary committee member” means a member of the committee who is not an office-bearer of the association.
  - i) “secretary” means: the person holding office under this constitution as secretary of the association, or if no person holds that office - the public officer of the association.
  - j) “special general meeting” means a general meeting of the association other than an annual general meeting.
  - k) the “Act” means the Associations Incorporation Act 2009.
  - l) the “Regulation” means the Associations Incorporation Regulation 2016.
  - m) a “Financial Member” is a member who has paid their fees according to the established fee structure by the determined time.
- 2.2 In this constitution:
- a) a reference to a function includes a reference to a power, authority and duty, and
  - b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.
- 2.3 The provisions of the *Interpretation Act 1987* apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.



### **3. Objectives:**

3.1 The objectives of the League shall be to:

- a) Promote, organise and foster women's baseball in Sydney and to advance the game;
- b) Employ the funds of the League in the best interests of the game and the members;
- c) Establish and develop relationships with other organisations and individuals, who can facilitate the League's stated objectives; and
- d) Provide a safe, fair and inclusive sporting environment, where all people, regardless of gender identity or intersex status can contribute, participate, and be treated fairly with dignity and respect. We believe in promoting baseball for all.

### **4. Colours:**

The colours of the League shall be red, white and blue.



## Part 2 – Membership

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### 5. Membership generally

- 5.1 A person is eligible to be a member of the association if:
- a) the person is a natural person, and
  - b) the person has applied and been approved for membership of the association in accordance with clause 7.
  - c) the person has fully paid their fees.

### 6. Categories of Membership:

- 6.1 The membership of the League shall consist of two (2) categories: Full and Associate.
- a) Full members are financial members either:
    - i) Playing members
    - ii) Playing and/or paying Life Member
  - b) Associate members are either:
    - i) 'Other' - Any other person that wishes to join the League (including non-playing coaches); or
    - ii) Non-playing Life Member – a member as defined in Clause 8.
- 6.2 All financial members will have full privileges and voting rights
- 6.3 A person qualifying for membership of more than one sub category, including Player or Coach, shall have the rights of a Full member

### 7. Application for membership:

- 7.1 To apply for membership, a person will be required to:
- a) support the objectives of the League; and
  - b) make an application in writing to the secretary (including by email or other electronic means) in the form determined by the committee, and
  - c) pay the appropriate membership fee by the fourth week of the season or as agreed upon with the committee (except Associate members).



## **8. Term of membership:**

- 8.1 The membership term will be for twelve months starting from Round 1 of the current season.
- 8.2 A person ceases to be a member, if the person:
  - a) resigns membership;
  - b) is expelled from the League; or
  - c) dies
  - d) fails to pay the annual membership fee within three months from the commencement of the season.

## **9. Resignation of membership**

- 9.1 A member of the association may resign from membership of the association by first giving to the secretary written notice of at least 1 month (or any other period that the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- 9.2 If a member of the association ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **10. Members' liabilities**

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association.

## **11. Resolution of disputes**

- 11.1 A dispute between a member and another member (in their capacity as members) of the association, or a dispute between a member or members and the association, are to be referred to a Community Justice Centre for mediation under the Community Justice Centres Act 1983.
- 11.2 If a dispute is not resolved by mediation within 3 months of the referral to a Community Justice Centre, the dispute is to be referred to arbitration.
- 11.3 The Commercial Arbitration Act 2010 applies to a dispute referred to arbitration.



## 12. Disciplining of members

- 12.1 A complaint may be made to the Committee by any person that a member of the association:
- a) has refused or neglected to comply with a provision or provisions of this constitution, or
  - b) has wilfully acted in a manner prejudicial to the interests of the association.
- 12.2 The Committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- 12.3 If the Committee decides to deal with the complaint, the Committee:
- a) must cause notice of the complaint to be served on the member concerned, and
  - b) must give the member at least 14 days from the time the notice is served within which to make submissions to the Committee in connection with the complaint, and
  - c) must take into consideration any submissions made by the member in connection with the complaint.
- 12.4 The committee may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- 12.5 If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under clause 13.
- 12.6 The expulsion or suspension does not take effect:
- a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
  - b) if within that period the member exercises the right of appeal, unless and until the association confirms the resolution under clause 13,
- 12.7 whichever is the later.

## 13. Right of appeal of disciplined member

- 13.1 A member may appeal to the association in general meeting against a resolution of the committee under clause 12, within 14 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- 13.2 The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.



- 13.3 On receipt of a notice from a member under subclause (1), the secretary must notify the committee, which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.
- 13.4 At a general meeting of the association convened under subclause (3):
- a) no business other than the question of the appeal is to be transacted, and
  - b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
  - c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- 13.5 The appeal is to be determined by a simple majority of votes cast by members of the association.

#### **14. Life Membership:**

- 14.1 Life membership may be conferred for special services rendered in connection with the game. Life membership may be awarded to any person who has fulfilled the following requirements:
- a) Registered player for ten years;
  - b) Registered player for seven years, including fulfilment of duties as a League Committee Member for three full years; or
  - c) Outstanding contribution to the League.
- 14.2 The Committee will consider nominations for Life membership, from all members, and will present recommendations to the Annual General Meeting for consideration.
- 14.3 This distinction shall be conferred only at the Annual General Meeting. No person shall be elected a Life member of the League unless the affirmative votes be two-thirds (2/3) of the total voting strength of the Annual General Meeting.



## Part 3 - The Committee

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### 15. Powers of the Committee:

- 15.1 Subject to the Act, the Regulation, this constitution and any resolution passed by the association in general meeting, the committee:
- a) is to control and manage the affairs of the association, and
  - b) may exercise all the functions that may be exercised by the association, other than those functions that are required by this constitution to be exercised by a general meeting of members of the association, and
  - c) has power to perform all the acts and do all things that appear to the committee to be necessary or desirable for the proper management of the affairs of the association.
- 15.2 The Committee shall have the power to:
- a) admit Clubs to the League for affiliation, and to cancel and revoke such admission at any time for good cause shown;
  - b) manage and control the finances of the League;
  - c) appoint subcommittees for any purpose relating to the affairs of the League, and to prescribe the duties and powers of any such subcommittee;
  - d) enact By-laws for the conduct of its business. Such By-laws are to remain in force until the next General Meeting when they shall be confirmed, amended or rescinded;
  - e) enact By-Laws for the regulation of the competition. Such By-laws are to remain in force until the next General Meeting when they shall be confirmed, amended or rescinded;
  - f) co-opt other members of the League (no more than two at any one time) on to the Committee;
  - g) appoint a Chairperson from its own number, in the absence of the President and Vice President at any General Meeting of the League;
  - h) appoint Selectors, Coaches and Managers of Representative teams.
  - i) approve Representative teams and their captains;
  - j) settle any question which may arise and which is not provided for in these Rules;
  - k) fill any casual vacancy which may occur in the Committee, or in any subcommittee, except that of President. The member so appointed shall hold office until the conclusion of the Annual General Meeting; and
  - l) consider and adjudicate on any apparent infringement of the Rules of the League, whether such infringement should become known to the Committee by formal protest or otherwise, in accordance with Clause 38 (3).



## **16. Composition and membership of committee**

16.1 The committee is to consist of:

- a) the office-bearers of the association, and
- b) at least 3 general committee members, each of whom is to be elected at the annual general meeting of the association under clause 23.
- c) Note. Section 28 of the Act contains further requirements concerning eligibility for membership and composition of the committee.

## **17. Office Bearers and General Members:**

17.1 The Office Bearers of the League, who shall be elected annually at the Annual General Meeting, shall consist of the

- a) President;
- b) Vice President;
- c) Honorary Secretary;
- d) Honorary Treasurer;
- e) Publicity Officer;
- f) Grounds and Fixtures Officer; and
- g) Social Officer

17.2 Any member of the League can be elected as an Office Bearer.

17.3 A committee member may hold more than one office.

17.4 There is no maximum number of consecutive terms for which a committee member may hold office.

17.5 Each member of the committee is, subject to this constitution, to hold office until immediately before the election of committee members at the annual general meeting next following the date of the member's election, and is eligible for re-election.

17.6 The Office Bearers of the League shall not take office until the termination of the Annual General Meeting at which they are elected.





## 18. Election of committee members

- 18.1 Nominations of candidates for election as office-bearers of the association or as ordinary committee members:
- a) must be made electronically (or in writing), supported by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
  - b) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- 18.2 If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- 18.3 If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- 18.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- 18.5 If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- 18.6 The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in any usual and proper manner that the committee directs.
- 18.7 A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the association must be a member of the association.

## 19. Duties of Office Bearers:

Fulfil the duties as outlined in the office bearer role descriptions as defined by the committee.

- 19.1 The **President** shall:
- a) Oversee the smooth functioning of the League, ensuring the roles and duties of other Committee members are fulfilled;
  - b) Be responsible for all development, planning and coordination of League activities;
  - c) The President shall, have ultimate responsibility for the League;
  - d) Be the chairperson at all League meetings; and
  - e) Be the Public Officer for the League and undertake responsibilities in accordance with the *Associations Incorporations Act 2009 and Regulations*.
- 19.2 The **Vice President** shall be responsible where the President is unable to fulfil duties.
- 19.3 The **Secretary** shall:
- a) Keep all records and minutes of the League, and the Seal, in custody;



- f) Keep a record of the name and contact details of all Office Bearers;
- g) Keep a roll of all affiliated Clubs;
- h) Develop and maintain a Register of all Members of the League;
- i) Give notice of all meetings in accordance with these rules;
- j) Conduct all general correspondence and keep copies of such correspondence;
- k) Take and keep Minutes of all Meetings;
- l) Ensure that the Annual Report is available for the Annual General Meeting; and
- m) In cases of suspension, expulsion and protest to notify all parties concerned.

19.4 The **Treasurer** shall:

- a) Develop an annual budget for the League;
- b) Maintain accounting records;
- c) Receive all monies for and on behalf of the League and pay them into such bank or banks as the Committee decides, to the credit of the account or accounts in the name of the Sydney Women's Baseball League;
- d) Pay all accounts approved by the Committee or a General Meeting;
- e) Submit a statement of the financial position of the League to the Committee at least once a month for the duration of the season; and
- f) Prepare a Balance Sheet and Statement of all Accounts to the Secretary so that these may be presented at the Annual General Meeting.

19.5 The **Communications Officer** shall:

- a. Be responsible for the promotion of the League to the broader community;
- b. Be responsible for the overseeing for recruitment of the League; and
- c. Be responsible for producing internal promotional communication;
- d. Be responsible for recruiting other league members to assist in social media, newsletter and other media production

19.6 The Grounds and Equipment Officer shall:

- a) Be responsible for the organisation of grounds; and
- g) Be responsible for the purchase, organisation and maintenance of all equipment.

19.7 The Social Officer shall:

- a) Be responsible for planning all social events of the League, including the Annual Dinner.

## 20. Voting at Committee Meetings:

20.1 Each member of the Committee shall be entitled to one vote.

20.2 The Chairperson of the Committee shall have a casting as well as a deliberative vote.

20.3 Voting on any question shall be by ballot if desired by one member present.



20.4 At all meetings of the Committee, the vote of the majority shall rule.

20.5 No proxies shall be allocated for Committee Meetings.

## **21. Meetings and quorum:**

21.1 The Committee shall meet as required so long as no more than two (2) months has passed since the last Committee meeting or General Meeting.

21.2 At a meeting of the Committee:

- a) the President or, in the President's absence, the Vice-President is to preside, or
- b) if the President and the Vice-President are absent or unwilling to act, such one of the remaining members of the Committee as may be chosen by the members present at the meeting is to preside.

21.3 Additional meetings of the Committee may be convened by the President or by any member of the Committee.

21.4 Oral or written notice of a meeting of the Committee must be given by the secretary to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the Committee) before the time appointed for the holding of the meeting.

21.5 Any 5 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

21.6 No business is to be transacted by the Committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.

21.7 If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.

## **22. Removal of Committee member**

A member of the Committee may be removed by two (2) mechanisms:

22.1 The Committee may declare vacant the place of any member who has been absent for more than three (3) meetings without the leave of the Committee; and

22.2 The League in general meeting may by motion remove any member of the Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

22.3 If a member of the Committee to whom a proposed resolution referred to in subclause (2) relates makes representations in writing to the secretary or president (not exceeding



a reasonable length) and requests that the representation be notified to the members, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

- 22.4 A Special General Meeting may, by resolution of three-quarters (3/4) of the full members present, remove any office bearers from office before an Annual General Meeting.
- 22.5 The General Committee Members shall support the Office Bearers in the fulfilling of their roles.



## Part 4 - General Meetings

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### 23. Annual General Meeting – holding of:

The Annual General Meeting of the League shall be held no later than October 31<sup>st</sup> in each year.

### 24. Annual general meetings - calling of and business at

- 24.1 The annual general meeting of the association is, subject to the Act and to clause 23, to be convened on the date and at the place and time that the committee thinks fit.
- 24.2 In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
- a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
  - b) to receive from the committee reports on the activities of the association during the last preceding financial year,
  - c) to elect office-bearers of the association and ordinary committee members,
  - d) to receive and consider any financial statement or report required to be submitted to members under the Act.
- 24.3 An annual general meeting must be specified as that type of meeting in the notice convening it.
- 24.4 The business of the Annual General Meeting shall be:
- Attendance
  - Confirmation of Minutes
  - Presentation of Annual Report and Financial Statement
  - Notices of Motion
  - Election of Office Bearers and General Committee Members
  - General Business

### 25. Special General Meeting – calling of:

- 25.1 The Committee may, whenever it thinks fit, convene a special general meeting of the association.
- 25.2 The Committee must, on the requisition in writing of at least 5 percent of the total number of members, convene a special general meeting of the association.
- 25.3 A requisition of members for a special general meeting:
- a) must state the purpose or purposes of the meeting;
  - b) must be signed by the members making the requisition; and



- c) must be lodged with the secretary, and
- d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

25.4 If the Committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

25.5 A special general meeting convened by a member or members as referred to in Clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee and any member who consequently incurs expenses is entitled to be reimbursed by the association for any expense so incurred.

## **26. Notice**

26.1 The secretary must give at least 14 days written notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

26.2 If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

## **27. Procedure**

27.1 Quorum of a Special General Meeting is 25% of the total voting membership.

27.2 At any General Meeting of the League, each member of the League is entitled to one vote on any question arising.

27.3 At all General Meetings the vote of the majority shall rule. In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

27.4 Voting shall be by ballot if desired by any member present, otherwise voting will be by show of hands.

27.5 All votes must be given personally or by proxy but no member may hold more than 5 proxies.

27.6 Member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid.



## **28. Making of decisions**

28.1 A question arising at a general meeting of the association is to be determined by:

- a) a show of hands or, if the meeting is one to which clause 27 applies, any appropriate corresponding method that the committee may determine, or
- b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.

28.2 If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

28.3 Subclause (2) applies to a method determined by the committee under subclause (1) (a) in the same way as it applies to a show of hands.

28.4 If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson

## **29. Special Resolution**

A resolution of the association is a special resolution if it is passed by a majority which comprises at least  $\frac{3}{4}$  of such members of the association as, being entitled under the rules so to do, vote in person or proxy at a general meeting of which at least 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with rules

## **30. Appointment of proxies**

30.1 Each member is to be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

30.2 The notice appointing the proxy is to be in the form set out in Appendix 1 to these rules



## Part 5 - Rules and Umpires

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### 31. Rules of Play:

- 31.1 All games will be played under the 'Official Rules of Baseball' as adopted by the Australian Baseball Federation and agreed to by the NSWBL, as may be altered, rescinded or supplemented for the League by the "Sydney Women's Baseball League – Official Competition Rules"
- 31.2 The "Sydney Women's Baseball League – Official Competition Rules" may be altered, rescinded or supplemented by a majority vote of the Committee.
- 31.3 Any alterations, rescissions or supplements to the "Sydney Women's Baseball League – Official Competition Rules" will be notified to members in writing at least 7 days prior to the rules taking effect.

### 32. Umpires:

- 32.1 The League will pay the insurance fee of any umpire who does not play or coach in this Competition.
- 32.2 The League will assign or appoint umpires each season.





## Part 6 - Miscellaneous

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### 33. Affiliation:

- 33.1 Any women's baseball Club within Sydney may be accepted for affiliation.
- 33.2 All applications for affiliation shall be considered by the Committee.
- 33.3 The League may affiliate with any body having objectives similar to its own.
- 33.4 Each Club or Team on affiliation shall submit to the Committee a proposed name and uniform. Once approved by the Committee, this name and uniform shall not be utilized by any other Club.
- 33.5 A Team must provide the Committee with the names of the Coach and Manager/Team Coordinator of the Team by the date specified by the Committee.
- 33.6 Each Club on affiliation shall be supplied with a copy of these Rules, and a copy of all By-laws, and shall with all its members be bound thereby.

### 34. Finance:

- 34.1 The financial year of the League shall close on 31 August.
- 34.2 All monies received, shall become the immediate property of the League. The Treasurer, or nominated representative, shall ensure an appropriate receipt is provided. All monies received shall be paid to the credit of the League at a bank or banks approved by the Committee.
- 34.3 Any member with unpaid fees by the fourth week of the season shall forfeit their right to play matches under the control of the League, until fees are paid or an agreement for payment is reached with the Committee.
- 34.4 The funds of the League shall be:
  - a) derived from the seasonal membership fees and donations; and
  - b) from other such sources as the Committee determines.
- 34.5 All property of the League shall be in the name of the League, and used in accordance with the objectives specified in this Constitution.
- 34.6 All negotiable instruments (cheques, drafts, bills of exchange, promissory notes) shall be signed by any two (2) Office-Bearers, including one of President, or Secretary, or Treasurer - online transactions are excluded.
- 34.7 The method of operation of the accounts of the League shall include authorised signatories by any two (2) Office-Bearers, including one of President, or Secretary, or Treasurer



34.8 All payments made from the accounts of the League shall be presented at the following Committee meeting, and full details of such transactions be recorded.

### **35. Common Seal:**

The League shall have a Common Seal which shall be kept in the custody of the Secretary and shall be affixed to any document or writing, upon resolution of a Committee Meeting.

### **36. Alteration of Constitution:**

- 36.1 Neither this Constitution (nor Regulations made thereunder) shall be repealed or altered, nor shall any addition be made without the agreement of a three-quarters (3/4) majority of the votes of Members at the Annual General Meeting, or at a Special General Meeting called for that purpose.
- 36.2 At least fourteen (14) days notice in writing of such proposed alterations shall be given to all members in either case.
- 36.3 Any alterations so made shall take place immediately unless the Meeting by the same majority shall decide otherwise.

### **37. Indemnity Clause:**

- 37.1 Every member of the Committee shall be indemnified out of the funds of the League against any liability incurred in the discharge of any duty undertaken on behalf of the League and in defending any proceedings whether civil or criminal in which judgment is given in favour of the person or in which the person is acquitted.
- 37.2 No member of the Committee shall be responsible for any other member of the Committee, or for any officer, clerk or servant of the League by the insufficiency or deficiency of value of, or title to, any property or security acquired or taken on behalf of the League or by the bankruptcy or any tortious act of any customer or debtor of the League, or by anything done in the execution of his/her duties of his/her office or in relation thereto, or otherwise than his/her own wilful act or default.

### **38. Protests:**

- 38.1 All protests shall be received in writing by the President, or Secretary, within twenty-four (24) hours of the occurrence of the incident regarding which the protest is made. All protests shall be accompanied by an administration charge, the value of which to be determined by the Committee. This shall be forfeited if the protest is overruled. If a protest is overturned a fee, as determined by the Committee, may be imposed.
- 38.2 In the case of any protest, if considered necessary, a protest Committee of five members, chaired by the President will be convened to hear and determine the protest.
  - a) All protests will be resolved within 5 days of receipt of the written notice of the



protest.

- b) Members of any protest Committee shall not be connected in any way with the Clubs concerned therein. Should the President be connected in any way with either Club, the Committee will elect another suitable chair.
- c) The Chair shall have a casting as well as a deliberative vote.
- d) An appeal against the decision of any such protest Committee may be made to the League Committee within 24 hours of receipt of the Protest Committee's determination.

38.3 The Umpires, Players and Coaches concerned shall have the right to attend the Meetings of the Protest Committee for the purpose of stating their case.

### **39. Misconduct:**

In all cases of alleged misconduct by any Club, team, player or official, an inquiry shall be held by the Committee or its appointed subcommittee within seven (7) days from the date when such alleged misconduct has been brought to the notice of the Committee.

### **40. Suspension and Expulsion:**

- 40.1 In cases of infringement by members, team, clubs or officials of any Constitution, Regulations, or By-laws of the League, the member, team, club or official may, pending the hearing and determination of the charges, be summarily suspended by the Committee.
- 40.2 Save as set out above, no member shall be suspended without being given an adequate opportunity of being heard in defence. Notice of suspension of a member, team or Club shall be given in writing immediately to such member, team or Club, setting out the charge preferred and notifying the time and place of such hearing.
- 40.3 In all cases of alleged infringement by any member, team or Club, a hearing shall be held by the Committee, or its appointed subcommittee, within seven (7) days from the date when such alleged infringement has been brought to the notice of the Committee.
- 40.4 Nothing in this section shall be deemed to prevent the Committee from penalising a Club for failure to pay fees by the due date or imposing suspension for not more than twenty-eight (28) days, or inflict fines upon any Club or member found guilty of breaking any of the Rules of the League, or the conditions governing any of its competitions, or refusing to give effect any resolution passed by the Committee.
- 40.5 Expulsion of a member, team or Club may be made only by a Special General Meeting of members of the League called for the purpose, and only if the votes in favour of expulsion shall constitute a two-thirds (2/3) majority of the voting power of the Full Members at the Meeting.
- 40.6 Notice of any suspension or expulsion imposed, shall at once be sent by the Secretary to the members of the League.



#### **41. Appeals:**

- 41.1 Any member, team or Club suspended or expelled by the Committee shall have the right of appeal at a Special General Meeting of the League specifically called for that purpose, within fourteen (14) days of the passing of the resolution of suspension or expulsion. Such an appeal shall be accompanied by an administration charge, the value of which is to be determined by the Committee. This shall be forfeited if the appeal is overturned.
- 41.2 Such appeal shall be in writing addressed to the Secretary of the League, and shall set forth specially the decision appealed against and the grounds for such appeal. The League shall in no way be responsible for any expenses incurred by the appellant. Pending decision of any appeal a suspension or expulsion shall be operative.

#### **42. Records of the League:**

- 42.1 Except as otherwise provided by the Constitution, the President or Secretary shall keep in their custody or control, all books, documents, securities, and other records relating to the League.
- 42.2 Any member may make a written request to inspect all books, documents, securities, and other records relating to the League, free of charge, at a time and location that are mutually acceptable to the custodian of the records and the member making the request. The Committee reserves the right to withhold confidential information of members.

#### **43. Dissolution:**

- 43.1 The League shall not be dissolved unless all liabilities have been discharged and a motion has been passed by a three-quarters (3/4) majority of the votes recorded at a General Meeting convened for the purpose
- 43.2 Any sum remaining after the satisfaction of all liabilities shall be given or transferred to such amateur Club, Association, or other organisation to be determined by a majority of members present at such meeting.



## APPENDIX 1 - FORM OF APPOINTMENT OF PROXY

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I, ..... of .....  
(full name) (address)

being a member of .....  
(name of incorporated association)

hereby appoint ..... of .....  
(full name of proxy) (address)

being a member of that incorporated association, as my proxy to vote for me on my behalf at the general meeting of the association (annual general meeting or special general meeting, as the case may be) to be held on the

..... day of .....  
(month and year)

and at any adjournment of that meeting.

- \* My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).
- \* to be inserted if desired.

.....  
Signature of member appointing proxy

Date.....

NOTE: A proxy vote may not be given to a person who is not a member of the association.