



**CRUISERS SOFTBALL  
CLUB INC.  
CONSTITUTION  
ABN 38 624 165 341**

*Cruisers Softball  
Club Inc.  
Constitution  
Adopted 2008*

**1. Name**

**2. Interpretations**

**3. Objectives**

**4. Member Qualifications**

4.1 Executive Committee

4.2 Life Members

4.3 Ordinary Members

4.4 Member's Responsibilities

**5. Committees**

5.1 Executive Committee

5.2 General Committee

5.3 Sub Committee

**6. Duties of Office Bearers**

6.1 President

6.2 Vice President

6.3 Secretary

6.4 Treasurer

6.5 Registrar

6.6 Equipment/Uniform Officer

6.7 Minutes Secretary

6.8 Communications Officer

6.9 Delegate

6.10 Umpire and Canteen Co-ordinator

**7. Register of Members**

8. Fees/Subscriptions

**9. Funds Source**

9.1 Annual Subscriptions

9.2 Team Fundraising Levies

9.3 Fees

9.4 Donations

9.5 Sponsorships

**10. Funds Management**

**11. Common Seal**

**12. Custody of Books, etc.**

**13. Inspection of Books, etc.**

**14. Members Liability**

**15. Disciplining of Members**

**16. Meetings – Calling of**

16.1 AGM

16.2 Executive/General Meetings

16.3 Special Meetings

**17. Meetings – Procedures**

17.2 A.G.M Agenda

17.3 Executive/General Meetings

17.4 Special Meetings

17.5 Motions/Amendments

**18. Quorums**

18.1 A.G.M

18.2 Special Meetings

18.3 Executive/General Meetings

**19. Voting Rights**

**20. Uniforms**

**21. Alterations**

21.1 Objectives

21.2 Constitution

21.3 By-Laws

**22. Trustees**

**23. Dissolution**

# Cruisers Softball Club Inc. Constitution

## ABN 38 624 165 341

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### **1. Name**

The name of the club shall be the “Cruisers Softball Club Incorporated”.

### **2. Interpretations**

The following interpretations shall apply throughout this Constitution and By Laws unless something in the context or subject is found to be inconsistent:-

- 2.1 A.G.M is the Annual General Meeting.
- 2.2 A.S.F is the Australian Softball Federation Incorporated.
- 2.3 N.S.W.S.A is the New South Wales Softball Association Incorporated.
- 2.4 N.S.W.S.U.A is the New South Wales Softball Umpires Association.
- 2.5 Month means a calendar month.
- 2.6 The feminine includes the masculine and vice versa.
- 2.7 The financial year shall be from the First day of July to the Last day of June each year.
- 2.8 C.S.C is the Cruisers Softball Club Incorporated.

### **3. Objectives**

- 3.1 To promote the spirit of good sportsmanship through the game of softball, both on and off the field.
- 3.2 To develop the art, skill and discipline of playing softball.
- 3.3 To promote and manage any game of softball arranged under the auspices of C.S.C.
- 3.4 To select and manage all C.S.C. teams and to act on behalf of all teams in all matters concerning C.S.C.
- 3.5 To adopt the rules of softball as issued by A.S.F except where varied by N.S.W.S.A.

### **4. Member Qualifications**

4.1 Executive Committee.

4.1.1 To be eligible to hold office for C.S.C., the member must be registered with C.S.C. The Executive Committee shall be elected at the A.G.M.

All Executive members shall hold office until the next A.G.M when they may be re-nominated.

# Cruisers Softball Club Inc. Constitution

## ABN 38 624 165 341

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4.1.2 The Executive Committee shall consist of the following:

- a) President
- b) Vice President
- c) Secretary
- d) Treasurer (who shall be at least 18 years of age)
- e) Registrar
- f) Equipment/Uniform Officer
- g) Minutes Secretary
- h) Communications Officer
- i) Delegate
- j) Umpire and Canteen Co-ordinator

4.1.3 No person shall hold more than one (1) office as defined in 4.1.2.

4.1.4 At least two positions as defined in Rule 4.1.2 shall be held by members of a C.S.C Masters Team.

### 4.2 Life Members

4.2.1 To Qualify for Life Membership, a member shall have given at least five (5) years continuous and active service for the good of softball on behalf of C.S.C.

4.2.2 Nominations shall be in writing by a mover and a seconder and forwarded to the C.S.C Secretary no later than one month prior to the A.G.M. This shall be circulated to all registered members, at least twenty-one (21) days prior to the A.G.M.

4.2.3 Election to Life Membership shall be decided by a majority of three-quarters (3/4) of members present and eligible to vote.

4.2.4 Life Members may attend any C.S.C meeting.

### 4.3 Ordinary Members

4.3.1 These are financial playing members or officials of C.S.C. not included under any other form of membership.

4.3.2 They may attend any C.S.C. meetings, except Executive Meetings, and by leave of the meeting may speak on any matter.

4.3.3 Only financial playing members who have attained the age of sixteen (16) years may vote at meetings as prescribed in 4.3.2

4.3.4 A parent or guardian may vote on behalf of a financial playing member who is under the age of sixteen (16) years.

#### 4.4 Member Responsibilities

4.4.1 Membership shall be granted to persons on the condition that each member, as defined in Rule 4, adheres to all Rules and regulations as set down in this Constitution and By-Laws.

### **5. Committees**

#### 5.1 Executive Committee

5.1.1 The controlling body of C.S.C shall be the Executive Committee.

5.1.2 The Executive Committee shall have the power to:-

- a) Transact the business of C.S.C by holding meetings as often as necessary.
- b) To deal with all cases of misconduct and suspend or otherwise deal with such person if found to be guilty.
- c) To accept or reject any new applications for becoming members of C.S.C.
- d) To select all coaches, managers, scorers for all C.S.C teams.
- e) To strike levies or conduct fundraising as deemed necessary.
- f) To grant or refuse clearances to other teams/clubs.
- g) To grant or refuse a person membership.

5.1.3 The powers of the Executive Committee shall be limited to those contained in the Constitution and By-Laws except that matters may be referred to it by the General Committee for resolution. In cases of emergency the Executive Committee may act on any matter where it is not possible for a General Committee to act. In such cases the decision of the Executive Committee is to be referred to the next General Meeting for ratification.

5.1.4 A vacancy shall occur when:-

- a) Due to death, illness or resignation.
- b) Removal from office.

5.1.5 An Executive member may be removed from office for the following reasons:-

- a) Non-attendance at three (3) consecutive meetings, without just cause.
- b) Failure to carry out duties as directed by the Executive Committee.

Such removal from office can only be executed at Special Meetings.

## 5.2 General Committee

### 5.2.1 The General Committee shall consist of:-

- a) The Executive Committee
- b) Ordinary Members
- c) Life Members

## 5.3 Sub-Committees

### 5.3.1 Under the direction of the Executive Committee the following Sub-Committees may be formed:

- a) Coaches
- b) Selectors
- c) Social
- d) Fundraising
- e) Any other Sub-Committee as deemed necessary

### 5.3.2 Nominations for such Sub-Committee shall be called for at a time to be determined by the Executive Committee

### 5.3.3 The Executive Committee shall determine the size of each Sub-Committee

## **6. Duties of the Office Bearers**

### 6.1 President

- a) Shall preside at all meetings of C.S.C.
- b) Have a deliberate vote at all meetings and a casting vote if required.
- c) Ensure that all duties and resolutions are carried out as directed by C.S.C meetings.
- d) Present an Annual Report at the A.G.M.
- e) Attend all official functions where possible.

### 6.2 Vice President

- a) Shall attend all meetings and preside at any C.S.C meeting at which the President is absent.
- b) Assume responsibilities, rights and privileges given to the President, whilst acting as Chairperson.
- c) Carry out any other duties assigned by the Executive Committee



# Cruisers Softball Club Inc. Constitution

## ABN 38 624 165 341

---

### 6.3 Secretary

- a) Shall attend all meetings of C.S.C.
- b) Attend to all correspondence of C.S.C and present same at meetings.
- c) Be responsible for writing and posting all notices and list said notices and all business pertaining to same.
- d) Carry out any general clerical duties as instructed at meetings.
- e) Keep in close liaison with the President on all matters concerning C.S.C.
- f) Carry out any other duties assigned by the Executive Committee.

### 6.4 Treasurer

- a) Shall attend all meetings of C.S.C.
- b) Keep a true and accurate record of all monies received and expended on behalf of C.S.C.
- c) Present an up-to-date statement of accounts to all General meetings of C.S.C.
- d) be responsible for the issue of receipts for all monies received, and pay all accounts which fall due. Bank all monies received into C.S.C accounts as soon as possible after receipt of same.
- e) Be responsible for issuing accounts for all fees, fines and levies.
- f) Be responsible for listing any member as a defaulter for fees / fines / levies not paid by the due date. Such listing should be made as soon as possible after the date has expired.
- g) Present to the A.G.M a complete balance sheet.
- h) Prepare a report to the A.G.M including anticipated finances for the coming season.
- i) Shall keep a separate ledger of funds accumulated by, and for use, of Masters team/s.
- j) Carry out any other duties assigned by the Executive Committee.

### 6.5 Registrar

- a) Shall attend all meetings of C.S.C.
- b) Shall establish and maintain a register of members as prescribed in Rule 4. Such register to include, but not be limited to – name, date of birth, address, contact details, date on which person became a member, and any requirements of the Child Protection Legislation.

# Cruisers Softball Club Inc. Constitution

## ABN 38 624 165 341

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- c) Keep an up-to-date list of any late registrations and ensure those players are added to the original team lists.
- d) Be responsible for the registration of C.S.C.
- e) Be responsible for registering any late player or official with CNSA, in accordance with the CNSA Constitution By-laws.
- f) Carry out any other duties assigned by the Executive Committee.

### 6.6 Equipment/Uniform Officer

- a) Shall attend all meetings of C.S.C.
- b) Be responsible for the keeping and maintenance of all C.S.C equipment.
- c) Keep a true and accurate record of all property and equipment belonging to C.S.C.
- d) Inform the meeting of any repairs needed, and any purchases that need to be made for new equipment.
- e) Supply the Treasurer with a complete list of all equipment/uniform orders issued to each member.
- f) Prepare an Annual Report for the A.G.M, including any major items that need to be replaced for the forthcoming season.
- g) Carry out any other duties assigned by the Executive Committee.

### 6.7 Minutes Secretary

- a) Shall attend all meetings of C.S.C.
- b) Keep a true and accurate record of all meetings.
- c) Prepare and circulate minutes of every meeting to all concerned.
- d) Carry out any other duties assigned by the Executive Committee.

### 6.8 Communications Officer

- a) Shall attend all meetings of C.S.C.
- b) Shall be responsible for maintaining the Cruisers Website.
- c) Shall be responsible for producing a club newsletter.
- d) Carry out any other duties assigned by the Executive Committee

### 6.9 Delegate

- a) Shall attend all meetings of C.S.C
- b) Shall attend all meetings of C.N.S.A and keep a true and accurate record of any business discussed at said meetings, and report to C.S.C meetings.

c) In accordance with the C.N.S.A Constitution / By-Laws vote on behalf of C.S.C on any resolution put before the C.N.S.A meeting.

d) Carry out any other duties assigned by the Executive Committee.

#### 6.10 Umpire and Canteen Co-ordinator

a) Shall attend all meetings of C.S.C

b) Allocate umpiring, canteen and grounds duties in connection with the competition draw and as /or directed by C.N.S.A.

c) Promote umpiring and the rules of softball by holding lectures and practical demonstrations of umpiring requirements.

d) Keep an updated list of all members that are qualified umpires.

e) Prepare an annual report for the A.G.M.

f) Carry out any other duties assigned by the Executive Committee.

### **7. Register of Members**

7.1 The Registrar of C.S.C shall establish and maintain a register of members, specifying the name and address of each person who is a member of C.S.C together with the date on which the person became a member.

7.2 The register of members shall kept at the principal place of administration of C.S.C and shall be open for inspection, free of charge, by any member of C.S.C at any reasonable hour.

### **8. Fees/Subscriptions**

8.1 i) A Member of the Club shall upon admission to Membership, pay to the Club any joining fee determined by the Committee.

(ii) In addition to any amount payable by the Member under clause (i), a Member of the Club shall pay to the Club an annual Membership Fee of \$2.00, or some other amount as determined by the Committee.

### **9. Funds Source**

9.1 Annual subscriptions

9.2 Team fundraising levies

9.3 Fees:-

a) Registration

b) Playing/Tournament

9.4 Donations

9.5 Sponsorships

9.6 Subject to any resolution passed by C.S.C in General meetings, such other sources as the committee determines

## **10. Funds Management**

10.1 All bills are to be presented at the General Meeting, subject to any resolution passed by C.S.C at General Meetings, the funds of C.S.C shall be used in pursuance of the objects of C.S.C in such manner as the committee determines.

10.2 All bills are to be paid by cheque with all cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed for any two of three persons be it President, Secretary or Treasurer.

10.3 All moneys received by C.S.C shall be deposited as soon as possible and without deduction, to the credit of C.S.C Bank/Building Society accounts.

10.4 C.S.C shall as soon as possible after receiving money, issue an appropriate receipt.

## **11. Common Seal**

11.1 The Common Seal of C.S.C shall be kept in the custody of the Treasurer

11.2 The Common Seal shall not be affixed to any instrument except by the authority of the Executive Committee, and affixing of the Common Seal shall be attested by the signatures of two out of three persons be it the President, Secretary or Treasurer.

## **12. Custody of Books, etc.**

12.1 Except as otherwise provided for by these rules, the Registrar shall keep the custody and control all records, books and other documents relating to C.S.C.

## **13. Inspection of Books, etc.**

13.1 The records, books and other documents of C.S.C shall be open to inspection, free of charge, by any member of C.S.C at any reasonable hour.

## **14. Members Liability**

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

## **15. Disciplining of Members**

15.1 The Executive Committee shall deal with all cases of misconduct by members, players, officials or spectators which have been reported in writing to the Secretary of C.S.C.

15.2 Any member feeling they have been dealt with unjustly, may request in writing, within seven (7) days of confirmation of such decision, that the matter be put to a General meeting of C.S.C for resolution, or have the right of appeal to N.S.W.S.A / A.S.F with their rulings being final recourse unless civil action is sought.

15.3 The procedure for disciplining members shall be determined by the Executive Committee.

## **16. Meetings – Calling of**

### 16.1 A.G.M

16.1.1 The A.G.M shall be held prior to the C.N.S.A A.G.M.

16.1.2 Notice of such meeting, copy of agenda and all proposals and other business pertaining to the A.G.M shall be circulated to all financial members, Executive, Life members at least twenty-one (21) days prior to said meeting. 16.1.3 The Executive Committee shall have the right to invite any interested persons to attend the A.G.M.

### 16.2 Executive/General Meetings

16.2.1 Executive/General meetings of C.S.C shall be held each month unless notified at the previous month's meeting.

### 16.3 Special Meetings

16.3.1 A Special meeting of C.S.C shall be called by the following:-

- a) The Secretary of C.S.C on instruction by the President
- b) A resolution of the Executive Committee
- c) A request signed by at least three-quarters (3/4) of financial members

16.3.2 Only business as notified shall be dealt with at a Special meeting.

## **17. Meetings – Procedures**

17.1 The President shall preside at all meetings, in his/her absence the Vice President shall preside, and in the event of the absence of both, the Executive Committee shall elect one of its own members to chair the meeting

### 17.2 A.G.M Agenda

17.2.1 a) Roll call of members, Executive, Life members present

- b) Apologies
- c) Receive and adopt minutes from previous A.G.M
- d) Business arising from previous minutes
- e) Correspondence dealing with A.G.M business

# Cruisers Softball Club Inc. Constitution

## ABN 38 624 165 341

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f) To receive and adopt the Annual reports of C.S.C, which shall include a report from the President and Secretary

g) To receive and adopt the Annual Financial Statement from the Treasurer, including the Auditor's Report

h) To adopt and vote on any pre-circulated notices and motions pertaining to the

### **A.G.M**

17.2.2 The President shall declare all positions vacant.

17.2.3 The Chairperson shall have the right to call for nominations for any position from the floor, notwithstanding that written nominations have been received.

17.2.4 Should a nominee not be present, the C.S.C Secretary must have written consent of intention to stand.

17.2.5 All Executive positions shall be voted for by ballot.

17.2.6 A single nomination does not constitute automatic election. All nominations should be put to a vote.

17.2.7 The order for the election of office bearers shall be:-

- a) President
- b) Vice President
- c) Secretary
- d) Treasurer (who shall be at least 18 years of age)
- e) Registrar
- f) Equipment/Uniform Officer
- g) Minutes Secretary
- h) Communications Officer
- i) Delegate
- j) Umpire and Canteen Co-ordinator

17.2.8 Appoint an Auditor (who shall not be an Executive member) any vacancy occurring through the year shall be appointed by the Executive Committee.

17.2.9 Appoint a Patron (if necessary).

17.2.10 The newly elected President shall take the chair and declare the A.G.M closed.

# Cruisers Softball Club Inc. Constitution

## ABN 38 624 165 341

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A General meeting shall follow the A.G.M.

### 17.3 Executive/General Meetings

#### 17.3.1 Agenda

- a) Roll Call
- b) Apologies
- c) Adoption of the minutes of the previous meeting
- d) Business arising from the minutes
- e) Correspondence
- f) Treasurer's report
- g) Any other reports
- h) Notified business
- i) General business
- j) Set date for next meeting

### 17.4 Special Meetings

#### 17.5 Motions/Amendments

17.5.1 Any motions or amendments put before the meeting shall be done so in the usual mode of parliamentary procedure, with the mover and/or seconder having the last right of reply before being put to the vote. Once voted upon and accepted it shall be binding and no further discussion shall be entered into.

17.5.2 The method of voting shall be by show of hands or if demanded by five (5) or more members, by secret ballot (unless otherwise specified in the Constitution or By-Laws).

## **18. Quorums**

18.1 A.G.M A minimum of three-quarters (3/4) of the Executive members.

18.2 Special Meetings - As in 18.1.

18.3 Executive Meetings - Half plus one (1) of the elected members.

18.4 In the event of a quorum not being present at any meeting, the members present may appoint another date within twenty-one (21) days to transact the business for which such meeting has been called. The members present at the adjourned meeting shall form a quorum.

## **19. Voting rights**

19.1 At any meeting of C.S.C the President shall have the right to a casting vote if required.

19.2 Voting on all motions, resolutions and appointments shall be by show of hands and shall be a majority of votes cast, unless otherwise specified in the Constitution or By-Laws.

19.3 In determining the majority for voting in instances specified in the Constitution and By-Laws, the term "votes cast", shall mean that proportion of all members present at the meeting and eligible to vote, who record a positive or negative valid vote

19.4 No form of proxy of voting shall be accepted.

19.5 In the event of a Life member being elected to the Executive committee, then that Life member shall only be entitled to one (1) vote at any meeting of C.S.C with the exception of Executive meetings, and by leave of the meeting may speak on any matter, but shall not be eligible to vote at any meeting.

19.6 The following shall have a deliberate vote at:-

19.6.1 A.G.M

- a) Immediate past Executive Members
- b) Ordinary Members
- c) Life Members

19.6.2 Special/General Meetings

- a) Executive Committee Members
- b) Ordinary Members
- c) Life Members

19.6.3 Executive Meetings

- a) Each member of the Executive Committee

## **20. Uniforms**

20.1 All C.S.C players shall wear the C.S.C uniforms, which shall be in the colours of blue, black and white.

## **21. Alterations**

21.1 Objectives

The objectives of C.S.C shall not be altered or amended except by a majority of three-quarters (3/4) of the members at a Special Meeting of which twenty-one (21) days written notice thereof has been issued to all members. Any changes submitted must be in writing, duly seconded, and must state the reason for the change.



# Cruisers Softball Club Inc. Constitution

## ABN 38 624 165 341

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### 21.2 Constitution

This Constitution shall not be altered or amended except by a majority of three-quarters (3/4) of the members voting at the Special Meeting of which twenty-one (21) days written notice thereof has been issued to all members. Any changes submitted must be in writing, duly seconded, and must state the reason for the change.

### 21.3 By-Laws

The By-Laws shall not be altered or amended except by a majority of three quarters (3/4) of the members voting at a General Meeting. Any changes submitted must be in writing, duly seconded, and must state the reason for the change.

## **22. Trustees**

22.1 All property which C.S.C shall own, or hereafter possess shall be vested in three trustees.

22.2 The President, Secretary and Treasurer for the time being shall be the trustees for the purpose of this rule.

## **23. Dissolution**

C.S.C shall be dissolved if and only if, at least three-quarters (3/4) of the Members present and eligible to vote at a Special Meeting called for that purpose resolve to do so.