

PENRITH CITY SOFTBALL ASSOCIATION

CONSTITUTION

April 2019

1. NAME

- 1.1 The Association shall be called the "Penrith City Softball Association".

2. DEFINITIONS

- 2.1 Association: Penrith City Softball Association (PCSA) the controlling body of softball in the Penrith area and affiliated with Softball NSW.
- 2.2 Executive: The Governing body of PCSA; reprising office bearers as stipulated in 5.1 of the Constitution.
- 2.3 Affiliated Club: An affiliated club is one or more teams registered under one name with PCSA.
- 2.4 Month: Month means calendar month.
- 2.5 The singular includes the plural and vice versa.
- 2.6 The masculine includes the feminine and vice versa.
- 2.7 Financial Year: The financial year shall be from Annual General Meeting (AGM) to AGM.
- 2.8 Regular Competition: The summer competition from September to March on Saturday

3. OBJECTS

The object of the Association shall be:

- 3.1 to encourage, promote and maintain the game of softball within the Penrith District.
- 3.2 to arrange, promote and control all competition games of softball within the Penrith District in conjunction with Softball NSW.
- 3.3 to act as a court of appeal on all matters concerning softball in the Penrith District.
- 3.4 to affiliate with Softball NSW.
- 3.5 to adopt the rules of the game of Softball as issued by the International Joint Rules Committee on Softball and as reprinted by Softball Australia Limited.
- 3.6 to publish and make known any rule changes.
- 3.7 to select, manage and control all PCSA representative teams and to act for team members on all matters concerning PCSA.

4. **MEMBERSHIP**

- 4.1 All members shall be amateurs in accordance with the ruling of the International Olympic Committee.
- 4.2 The Association shall consist of:
 - 4.2.1 Office bearers of the Association.
 - 4.2.2 Affiliated Clubs.
 - 4.2.3 Life Members.
 - 4.2.4 Such others as the Executive may deem fit. Individuals may be admitted on the payment of a fee equivalent to that paid by the club official.
- 4.3 Commences at the start of the PCSA summer playing season and concludes prior to commencement of the following years summer season's start date.

5. **GOVERNMENT**

- 5.1 The affairs of the Association shall be administered by the Executive Committee. Its function shall be to administer the rules of this Association and to endeavor to carry out its objects as outlined in Rule 3. It shall consist of financial members as outlined in Rule 4 and office bearers as follows:
 - 1. President
 - 2. Vice President
 - 3. Vice President Representative Affairs
 - 4. Hon. Secretary
 - 5. Hon. Treasurer
 - 6. Registrar
 - 7. Competition Manager
 - 8. Hon. Assistant Secretary
 - 9. Umpire in Chief
- 5.2 The Executive Committee, Namely the Office Bearers of this Association, shall be elected at the AGM.
- 5.3 The jurisdiction of the Executive Committee shall extend to and shall be acknowledged by all members.
- 5.4 Any member of the Executive Committee may be removed from office by a 66% majority vote, of the votes recorded at a Special General Meeting (SGM) called for that purpose.
 - 5.4.1 A Member of the Executive Committee that is not fulfilling their Duties in a Timely Manner or is Disrupting the operation of the PCSA Executive Committee (as deemed by a majority of the remaining Executive Committee) may be requested to Resign by the Executive Committee. If the Member refuses this request then a Special General Meeting (SGM) will be called as per Para 5.4 with the intent of Removing said Member.
 - 5.4.2 If the Executive Member is asked to Resign (as per para 5.4.1) and refuses, then they are relieved from their Duties until such time as the Special General Meeting (SGM) called for this purpose has taken place and a result gained. If the SGM does NOT remove the Member from their Role then they resume their Duties IMMEDIATELY.
- 5.5 In the event of removal of any member of the Executive Committee under rule 5.4 or a resignation of an Executive Committee member, the remaining Executive Committee members shall appoint a temporary person to that vacant position until all Executive Committee positions are declared vacant at the next Annual General

Meeting.

- 5.6 The chairperson for all meetings shall be the President for the ensuing term. In the absence of the President, the Vice-President shall chair the meeting. Should both the President and the Vice-President be absent, the chairperson for that particular meeting will be appointed by the Executive Committee, from Executive Committee members present.
- 5.7 The Executive Committee shall circulate all minutes and reports to Affiliated Clubs.
- 5.8 Any Executive Committee member, being the subject of a Special General Meeting for removal from office, will not be entitled to vote at that Special General Meeting.

6. EXECUTIVE COMMITTEE

- 6.1 The Executive Committee shall conduct the affairs of this Association in conformity with this constitution and in the best interest of this Association.
- 6.2 The Executive Committee shall have the power:
 - 6.2.1 to issue any rules in relation to its own affairs or to the affairs of this Association in general or to any matter not continued in this Constitution.
 - 6.2.2 to determine any matter referred to by its members.
 - 6.2.3 to establish any fund to achieve any of the objects of the Association.
 - 6.2.4 to submit a scale of fees in accordance with Softball NSW.
 - 6.2.5 to appoint all Committees from nominations received.
- 6.3 Each member of the Executive Committee shall be entitled to one vote only. The Chairperson shall have a deliberative as well as casting vote.
- 6.4 The Executive Committee shall prepare a report on the activities of this Association once a year. It shall also prepare a correct and proper financial statement and balance sheet, which shall be duly submitted for audit. A copy of the Annual Report and Balance Sheet shall be sent to the Secretaries of all Affiliated Clubs.
- 6.5 The Executive Committee shall meet regularly once every month and also at the request of any member of that Committee (within seven (7) days of the request being delivered to the Secretary).
- 6.6 The Executive Committee shall deal with any matter, which arises between general meetings of this Association.
- 6.7 A quorum at any Committee meeting of the Association shall consist of the President or Vice President and any three other Executive members.

7. POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

- 7.1 **The President shall:**
 - 7.1.1 be the Executive head of this Association.
 - 7.1.2 preside at all meetings of this Association at which she/he is present.
 - 7.1.3 have authority on every question of order at meetings and in cases of doubt or difficulty, the Rules of Debate shall be followed.
 - 7.1.4 present the Annual Report of this Association at the Annual General Meeting.
 - 7.1.5 carry out any other duties assigned by the Executive Committee.

7.2 The Vice President shall:

- 7.2.1 preside at any meeting of this Association when the President is absent.
- 7.2.2 assume the responsibilities, rights and privileges given to the absent President for the duration of the meeting.
- 7.2.3 carry out any other duties assigned by the Executive Committee.

7.3 The Hon. Secretary shall:

- 7.3.1 conduct all correspondence on behalf of this Association.
- 7.3.2 be responsible for the writing and posting of all notices of meetings and list in said notices any business pertaining.
- 7.3.3 keep names and addresses of members of this Association and secretaries of affiliated clubs or bodies.
- 7.3.4 keep a true and correct record of all minutes and resolutions put to all duly constituted meetings and record the voting appropriately.
- 7.3.5 prepare and submit an Annual Report to Softball NSW.
- 7.3.6 perform all clerical duties and any other duties as assigned by the Executive Committee.
- 7.3.7 become the PCSA Public Officer.

7.4 The Hon. Treasurer shall:

- 7.4.1 keep a true and correct record of all finances of this Association.
- 7.4.2 keep proper accounts and send receipts for all monies received within fourteen (14) days.
- 7.4.3 submit a financial statement giving an account of the assets, liabilities and properties of this Association.
- 7.4.4 prepare a balance sheet, which shall be duly audited for presentation at the Annual General Meeting,
- 7.4.5 prepare a budget for the coming season.
- 7.4.6 be responsible for the operating of accounts. These accounts shall be kept at a financial institution approved by this Association and all cheques operating on accounts shall be signed by two of the following Office bearers - President, Vice President, Hon. Secretary and Hon. Treasurer.
- 7.4.7 carry out any other duties as assigned by the Executive Committee.

7.5 The Registrar shall:

- 7.5.1 compile and keep a true and accurate record of all registered clubs and members within the association.
- 7.5.2 compile and write a report of registered players of Penrith City Softball Association to be forwarded to Softball NSW.
- 7.5.3 furnish the Executive Committee with players' details as required.
- 7.5.4 carry out other duties as assigned by the Executive Committee.
- 7.5.5 a player/official will not be registered with PCSA and in turn Softball NSW, unless they have completed and submitted the appropriate registration paperwork.
- 7.5.6 forward the registered players/officials database to the Hon. Treasurer to compile a financial statement for each affiliated club.

- 7.5.7 distribute the updated member database to the PCSA Secretary or Public Officer, VP Rep Affairs and Competition Manager to ensure all players are registered to participate in activities organised through PCSA. This is to be auctioned as early as possible and updated and distributed with changes as they occur.

7.6 The Competition Manager shall:

- 7.6.1 compile a list of results for publication at the end of each days play.
- 7.6.2 act as the Associations Competition Manager during the competition:
- 7.6.3 produce and furnish accurate Result cards for each week's competition matches.
- 7.6.4 produce and furnish accurate competition standings prior to the commencement of the upcoming competition round of matches.
- 7.6.5 carry out any other duties as assigned by the Executive Committee.

7.7 The Hon. Assistant Secretary shall:

- 7.7.1 keep a record of all meetings (including Executive Committee meetings) and minutes thereof and present these to the next general meeting.
- 7.7.2 keep an attendance book for all association meetings.
- 7.7.3 perform any clerical duties requested by the Hon. Secretary.
- 7.7.4 carry out any other duties as assigned by the Executive Committee

7.8 The Umpire In Chief shall:

- 7.8.1 appoint all umpire conveners as required for season's competition.
- 7.8.2 keep records of all association umpire members and their qualifications and gradings.
- 7.8.3 co-ordinate all Club and Association umpiring commitments. Co-ordinate protest and disputes and arrange necessary committees to deal with such matters.
- 7.8.4 promote all aspects of umpiring to both Junior and Senior levels, arrange with N.S.W.U.A. - re qualifying exams or any other matters pertaining to umpiring.
- 7.8.5 carry out other duties as assigned by the Executive Committee.

7.9 The Vice President Representative Affairs

- 7.9.1 organize representative trial dates, selectors, coaches and officials for the Executive Committee
- 7.9.2 Update all information of teams and coaching staff that are selected
- 7.9.3 communicate between all applicants, parents, players, coaches and officials
- 7.9.4 liaise with the treasurer and team managers.
- 7.9.5 complete official documents for entering teams in NSW State Tournaments and Gala Days
- 7.9.6 collect all equipment in relation to Representative teams
- 7.9.7 identify players with Head Coaches consultation for the Executive Committee to forwarded to SNSW for the talented I.D Program
- 7.9.8 carry out any duties assigned by the executive committee

7.9.9 be Penrith City Softball Association point of contact at State Titles in the President's absence

8. **HONORARY OFFICERS**

- 8.1 An Auditor may be appointed annually. This appointment may be based on a recommendation of the Executive Committee.
- 8.2 An Honorary Solicitor, who shall not be a member of the Executive Committee, may be appointed annually. This appointment may be based on a recommendation of the Executive Committee.

9. **PATRON**

- 9.1 The PCSA may take action to seek the services of a resident of New South Wales to become the Patron of PCSA. This position shall be held until death or until such time as PCSA deems otherwise.

10. **ANNUAL GENERAL MEETING**

- 10.1 An Annual General Meeting shall be held during the month of April each year at such time and place as the Executive Committee shall determine.
- 10.2 The business of the AGM shall be:
1. to receive and confirm the minutes of the previous AGM
 2. business arising from the minutes
 3. correspondence relating to AGM matters
 4. to receive and adopt the Annual Report, which shall include a report from
 5. the President and Secretary and a Statement of Accounts
 6. to elect Office Bearers as per this Constitution (Section 5.1)
 7. to appoint a Patron, if applicable
 8. to appoint an Auditor, if applicable
 9. to appoint a Solicitor, if applicable
 10. to confer Life Membership, if appropriate
 11. to accept nominations for all committees
 12. to make, rescind or amend this Constitution
 13. to deal with any other business brought before this meeting
- 10.3 A quorum for the AGM shall consist of the prescribed number of delegates from a minimum of 66% of the Affiliated Clubs entitled to vote.
- 10.4 In the event of there not being a quorum within half an hour after the scheduled time the Chairperson shall adjourn the meeting to a date not less than seven days or more than fourteen days hence.
- 10.5 In the event of there not being a quorum at the re-scheduled meeting the Chairperson shall carry out the business of the meeting and any resolutions and/or decisions made shall be valid and binding on members of the PCSA.

- 10.6 Voting shall be restricted to Life members; Office bearers and the prescribed number of delegates from Affiliated Clubs entitled to vote.
- 10.7 The Chairperson shall have an ordinary vote and all motions shall be decided by a majority of votes of members voting in person. In the case of an equality of votes the motion shall be decided in the negative.
- 10.8 No member may vote in more than one capacity.
- 10.9 Each financial affiliated club with less than ten teams will be entitled to one vote.
- 10.10 Each financial affiliated club with ten or more teams will be entitled to two votes.

11. **SPECIAL GENERAL MEETING**

- 11.1 Special General Meetings of this Association may be called at the direction of the President and Secretary, or by a requisition signed by the Secretaries of at least two (2) affiliated clubs.
- 11.2 Notice of any SGM shall be issued to members not less than fourteen (14) days prior to the date of the meeting and the business of that meeting shall be stated. Discussion at the SGM shall be confined to this business.
- 11.3 A quorum at a SGM shall consist of a minimum of 1 delegate to a maximum of 2 delegates (if entitled) from at least 66% of the affiliated clubs entitled to vote and 50% of the current Executive Committee.
- 11.4 Voting shall be restricted to Life Members, Office bearers and the prescribed number of delegates from Affiliated Clubs entitled to vote.
- 11.5 The Chairperson shall have an ordinary vote and all motions shall be decided by a majority of votes of members voting in person. In the case of an equality of votes the motion shall be decided in the negative.
- 11.6 No member may vote in more than one capacity.
- 11.7 Each financial affiliated club with less than ten teams will be entitled to one vote.
- 11.8 Each financial affiliated club with ten or more teams will be entitled to two votes.

12. **GENERAL MEETINGS**

- 12.1 General Meetings shall be held monthly at such time and place as determined by the Executive Committee.
- 12.2 A quorum at any General Meeting shall consist of a minimum of 1 delegate to a maximum of 2 delegates (if entitled) from 33% of the affiliated clubs entitled to vote and 50% of the current Executive Committee.
- 12.3 Should there not be a quorum at any General Meeting within half an hour after the appointed time, the President may;
 - 12.3.1 adjourn the meeting to a date not less than seven (7) days or more than fourteen (14) days hence, or
 - 12.3.2 carry out the business of the meeting and all or any resolutions or decisions made shall be valid and binding on this Association.
- 12.4 The voting shall be restricted to Life Members, Office bearers and the prescribed number of delegates from Affiliated Clubs entitled to vote.
- 12.5 The Chairperson shall have an ordinary vote and all motions shall be decided by a majority of votes of members voting in person. In the case of an equality of votes the motion shall be decided in the negative.
- 12.6 No member may vote in more than one capacity.
- 12.7 Notice shall be provided in writing to affiliated clubs & members of the succeeding

meeting.

- 12.8 When any notice of motion is received to be dealt with at the next meeting, such notice of motion shall be given in writing to all affiliated club secretaries at least fourteen (14) days prior to the date of the next meeting.

13. CONDITIONS OF AFFILIATION

- 13.1 Clubs desiring to affiliate with this Association shall fulfill the following conditions:
- 13.1.1 apply for Affiliation on the form provided by this Association no later than the PCSA June General meeting each year.
 - 13.1.2 pay the prescribed annual affiliation fee by the date set by this Association.
 - 13.1.3 ensure that all Office bearers, Coaches, Managers, and Players are registered with this Association.
 - 13.1.4 provide delegates to the AGM, any SGM and all General Meetings of this Association.
 - 13.1.5 provide to the Association as requested by the Executive Committee, a written report on the current status, of the Affiliated club.
 - 13.1.6 are required to pay a 50% deposit, as set by the PCSA Inc. Executive Committee, which is due on the same date the player/officials registration database and team sheets are due to PCSA Inc.
 - 13.1.7 are required to pay their registration fees in full by 15th November (or 14 days before PCSA must pay SNSW, whichever comes first) for summer competition or as directed for additional competitions run by PCSA Inc. Payment is to be based on the number and type of registrations submitted to PCSA Inc. by the respective clubs.
 - 13.1.8 If payment is not received as per 13.1.7 all players/officials with the club in question will not be permitted to participate in any activities (such as but not limited to: playing/coaching/scoring in social & / or representative competitions) at PCSA Inc. until such times as the payments have been made in full.

14. DISCIPLINARY COMMITTEE

- 14.1 The Disciplinary Committee consists of the PCSA Judiciary Convener and two judiciary members from affiliated clubs.
- 14.2 The Judiciary Convener is a Non Executive position that is nominated at the AGM and ratified by the PCSA Executive at the next Executive meeting.
- 14.3 Each affiliated club shall provide nominated judiciary members as required to deal with matters as referred by the Executive Committee or after an ejection from a game.
- 14.4 Judiciary members must be independent of the incident and shall not be a member of the same club as the member appearing before the Discipline Committee nor from the opposing teams' club.

15. SUSPENSIONS AND DISQUALIFICATION

- 15.1 Following referral by the Executive Committee, all matters pertaining to citations or charges of misconduct against any member of this Association, are to be dealt with by the Disciplinary Committee.
- 15.2 The Disciplinary Committee may disqualify or suspend any member of this Association, member of an affiliated club or player in the event of that player, Club or Association member violating the rules of this Association or failing to comply with

any direction until removed by the Disciplinary Committee.

- 15.3 Disqualification or suspension shall be imposed for such period as the Disciplinary Committee shall determine and shall continue until removed by the Disciplinary Committee.
- 15.4 The Hon Secretary of this Association shall inform the member concerned by post of the disqualification or suspension the reasons for the disqualification or suspension and that the disqualified or suspended member has the right to appeal to the Executive Committee within fourteen (14) days of the date when the letter would be delivered.
- 15.5 Should no appeal be received within the required fourteen (14) days, the disqualification or suspension shall be binding.
- 15.6 Should an appeal be received it shall be dealt with by the Executive Committee and the member concerned shall be notified of the result.
- 15.7 Should this appeal be dismissed by the Executive Committee the member concerned shall have the final right to appeal to Softball NSW.
- 15.8 Any member of this Association who plays with any Club, team, affiliated body or member thereof under suspension or disqualification may be suspended at the discretion of the Disciplinary Committee.

16. **LIFE MEMBERS**

- 16.1 An AGM of this Association, on the recommendation of a sub-committee appointed by the Executive Committee, shall have power to elect to life membership persons who have performed outstanding service to this Association. The election of life members is to be conducted by a show of hands on a majority vote of two thirds of those present and eligible to vote. Not less than five years service on behalf of this Association shall be a pre-requisite to election as a Life Member.
- 16.2 A nomination for life membership shall be given in writing to the Hon. Secretary of this Association setting out the nominees qualifications at least six (6) weeks prior to the AGM and shall be signed by two (2) members from different affiliated clubs.
- 16.3 A Life Member upon election shall be presented with the insignia approved by the Executive Committee.
- 16.4 A Life Member may hold any office if elected thereto.
- 16.5 A Life Member shall have voting rights at all meetings of this Association.
- 16.6 Will only be registered with PCSA and in turn Softball NSW once they have submitted the appropriate signed registration paperwork through their preferred affiliated club.

17. **ADDITIONS AND AMENDMENTS TO THIS CONSTITUTION**

- 17.1 Notices of additions and amendments to this Constitution must be given in writing to the Hon. Secretary of this Association at least six (6) weeks prior to the AGM and shall be duly circulated to all affiliated clubs.
- 17.2 A new clause or amendment shall not be adopted unless carried by a majority vote of two thirds of those delegates present and eligible to vote. Voting shall be by a show of hands.
- 17.3 Identified typing and spelling errors and changes to the format of the constitution can be made upon the approval of the Executive Committee without the need to be submitted to a Special General Meeting for approval. All changes that alter the intent of the constitution are to be processed in accordance with paragraph 17.1.

18. **WINDING UP**

- 18.1 The Penrith City Softball Association shall not be disbanded without the consent of all affiliated clubs.