

SOFTBALL MACARTHUR INC



RULES AND REGULATIONS OF THE ASSOCIATION

AMENDED: 30TH JULY 2018

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1 NAME

The Association shall be called "Softball Macarthur Incorporated" (referred to in these Rules as 'the Association').

2 INTERPRETATIONS

2.1 In these Rules, unless otherwise stated:

"AGM" means Annual General Meeting.

"Affiliated Club" means a Club with one or more teams, one of which must be a junior team and registered under one name with the Association.

"SA" means "Softball Australia Incorporated".

"Association" means, "Softball Macarthur Incorporated", incorporated under the Act, the controlling body of softball in the Macarthur area and affiliated with Softball New South Wales Incorporated.

"Delegate" means a member of an Affiliated Club who attends meetings of the Association on behalf of that Affiliated Club.

"Executive Committee" means the governing body of the Association comprising the Office Bearers as stipulated in 13.1 of these Rules.

"Financial Year" means the Year ending 31st March.

"Chairman of a Standing Committee or Sub Committee" is the person appointed by the Executive Committee to chair a Standing Committee or Sub-Committee and is responsible to ensure that the Rules and Regulations of the Association are adhered too. This person does not have a vote at Committee meetings to which they are appointed.

"Convenor" means the person appointed by the Executive Committee to bring together those other members of the Association that have been appointed to a Standing Committee or Sub-Committee to which they have been elected.

"General Meeting" (GM) means ordinary meetings of the Association.

"Life Member" means an individual who was immediately before the incorporation of the Association a life member of the former Association or who is admitted under these Rules to life membership of the Association.

"SNSW" means "Softball New South Wales Incorporated".

"Non-player member" means a person who is registered with the Association in any non-playing capacity.

"Player member" means an individual who is registered by an Affiliated Club of the Association to play softball in the competition conducted by the Association.

"Rules" means the Rules of the Association for the time being in force.

"Special General Meeting" (SGM) means the GM of the Association other than an AGM or GM.

“Match Review Committee” means a group of registered Clubs members selected to form a Committee to review the decision to remove a member from a game of softball.

- 2.2 The provisions of the Interpretation Act, 1987, apply to and in respect of these Rules in the same manner as those provisions would apply if these Rules were an instrument made under the Act.

3 OBJECTIVES

The Association is a not for profit organisation whose objectives shall be:

- 3.1 To encourage, promote and maintain the game of softball within the Association.
- 3.2 To affiliate with SNSW.
- 3.3 To arrange, promote and control all competition games of softball within the Association in conjunction with SNSW.
- 3.4 To act as a court of appeal on all matters concerning softball within the Association.
- 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 SA and accepted by SNSW.
- 3.6 To select, manage and control all the Association's representative teams.
- 3.7 To participate in any business undertaking for the furtherance and promotion of the Association and do all that is necessary to give practical and legal effect to this objective.

4 COLOURS

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

5 MEMBERSHIP

- 5.1 Subject to these Rules, the members of the Association shall be the members of the Association immediately prior to incorporation together with such other people, Clubs and organizations as the Association admits to membership.
- 5.2 Types of Membership:

The Association shall consist of members as follows:

 - 5.2.1 Executive members
 - 5.2.2 Level 1 Affiliated Club: a Club consisting of between one (1) and four (4) teams as at the last summer registration, one (1) of which must be a junior team
 - 5.2.3 Level 2 Affiliated Club: a Club consisting of between five (5) and nine (9) teams as at the last summer registration, two (2) of which must be a junior team
 - 5.2.4 Full Affiliated Club: a Club consisting of at least ten (10) teams with at least six (6) junior teams as at the last summer registration

- 5.2.5 Player members
- 5.2.6 Non-player members
- 5.2.7 Life members
- 5.3 Admission to Membership/Affiliation:
 - 5.3.1 Clubs desiring to affiliate with the Association shall make application in writing in a form determined by the Executive Committee and lodge the same with the Association Secretary, along with a \$400.00 affiliation fee. Any fines levied will be funded by this amount. Thus at the start of the new season this amount must be restored to be \$400.00 before the first competition game.
 - 5.3.2 An application for Player and Non-Player membership of the Association shall be made annually in writing in a form determined by the Executive Committee and shall be deemed to be granted by the Association upon admission of such person to their Club or the Association.
 - 5.3.3 Life Members
 - 5.3.3.1 Any member who has given at least ten (10) years outstanding service on behalf of the Association shall be eligible for life membership of the Association.
 - 5.3.3.2 Proposed life members shall be nominated in writing to the Association Secretary, at least six (6) weeks prior to the AGM and shall be signed by two (2) Affiliated Clubs.
 - 5.3.3.3 The election of life members shall occur at an AGM and shall be by secret ballot on a majority vote of two-thirds of those present and eligible to vote.
- 5.4 Cessation of Membership:

An Affiliated Club ceases to be a member of the Association if:

 - 5.4.1 The Club's affiliation with the Association is terminated or suspended by the Association.
 - 5.4.2 The Club advises the Secretary of the Association of its intention not to renew its affiliation. Upon such notification, the Clubs shall pay to the Association any amount outstanding in respect of registration fees and any other monies due and payable by it to the Association.
- 5.5 A Player or Non-Player Member ceases to be a member of the Association if the member:
 - 5.5.1 Dies
 - 5.5.2 Resigns or becomes un-financial or lets their membership lapse
 - 5.5.3 Is expelled from the Association
 - 5.5.4 Is granted a clearance to another Association
- 5.6 A Life Member of the Association ceases to be a member of the Association if that person:
 - 5.6.1 Dies
 - 5.6.2 Resigns the life membership

5.6.3 Is expelled from the Association

5.7 Members rights:

A right, privilege or obligation of a person who becomes a member of the Association is not capable of being transferred to another person and is terminated upon the cessation of membership.

6 RESIGNATION OF MEMBERS

- 6.1 Subject to Rule 5.4 a member of the Association is not entitled to resign that membership except in accordance with this Rule.
- 6.2 A member of the Association who has paid all amounts (if any) payable by the member of the Association in respect of the member's membership may resign from membership of the Association by first giving notice in writing to the Secretary of the member's intention to resign. Upon the receipt of this notice, the member ceases to be a member.
- 6.3 Where a member of the Association ceases to be a member pursuant to Rule 6.2 and in every other case where a member ceases to hold membership the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7 GOVERNMENT

- 7.1 The Registrar of the Association shall establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association.
- 7.2 The Secretary shall establish and maintain a register of Clubs and record therein the name and address of all Office Bearers of each Affiliated Club.
- 7.3 The register of members shall be made available at the principal place of administration of the Association as determined by the Executive.

8 FEES, SUBSCRIPTIONS

- 8.1 No individual member shall be required to pay any joining fees upon admission to the Association.
- 8.2 A Club shall pay to the Association an annual affiliation fee (5.3.1). This fee shall be determined by the Association and shall be paid each year by the date determined by the Executive Committee.
- 8.3 Individual member shall pay to the Association an annual registration fee. The registration fee shall be determined by the Association and shall be paid each year by the date determined by the Executive Committee.

9 MEMBERS LIABILITY

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 of one dollar (\$1.00) and every person who becomes a member of the Association is deemed to have undertaken to pay such amount if so required, in the event that the Association is wound up while such person is a member or within a period of one (1) year after ceasing to be a member of the Association.

10 DISCIPLINARY MEASURES

10.1 Where the Executive Committee has reason to believe that any elected, appointed or selected member of the Association or a member of a Club affiliated with the Association:

- 10.1.1 Has persistently refused or neglected to comply with a provision or provisions of these Rules and Regulations
- 10.1.2 Has persistently and wilfully acted in a manner prejudicial to the interests of the Association
- 10.1.3 Fails to comply with a directive of the Association
- 10.1.4 Is the subject of a written complaint then:

The Executive Committee may by resolution refer the matter to the Disciplinary Committee.

10.2 Where the Executive Committee passes a resolution under Rule 10.1 the Secretary shall as soon as practicable cause a notice in writing to be served on the member:

- 10.2.1 Setting out the resolution of the Executive Committee and the grounds on which it is based
- 10.2.2 Stating that the member may address the Disciplinary Committee at a meeting to be held not earlier than seven (7) days and not later than fourteen (14) days after service of the notice, stating the date, place and time of that meeting
- 10.2.3 Informing the member that the member may do either or both of the following:
 - 10.2.3.1 Attend and speak at the meeting
 - 10.2.3.2 Submit to the Disciplinary Committee at or prior to the date of that meeting written representation relation to the resolution
- 10.2.4 Should the member be under the age of eighteen (18) years, the member shall be accompanied by an adult:
 - 10.2.4.1 Allow a support person to attend who MUST be a registered member of the Association
 - 10.2.4.2 Secretaries of Clubs whose members are involved in the Disciplinary Hearing will be notified in writing by the Executive of the hearing date and the complaint lodged

- 10.3 At the meeting of the Disciplinary Committee held as referred to in Rule 10.2 the Disciplinary Committee shall:
 - 10.3.1 Give to the member an opportunity to make oral representations
 - 10.3.2 Give due consideration to any written representations submitted to the Disciplinary Committee by the member at or prior to the meeting
 - 10.3.3 By resolution, may:
 - 10.3.3.1 Issue a warning or reprimand to the member
 - 10.3.3.2 Impose a monetary penalty on the member
 - 10.3.3.3 Suspend the member from membership of the Association for a specified period
 - 10.3.3.4 Expel the member from the Association.
 - 10.3.4 Where the Disciplinary Committee confirms a resolution under Rule 10.3.3 the Secretary shall within seven (7) days, confirm the decision and the right of appeal under Rule 11 by notice in writing to the member.
 - 10.3.5 A resolution confirmed by the Disciplinary Committee under Rule 10.3.3 does not take effect:
 - 10.3.5.1 Until the expiration of the period within which the member is entitled to appeal to the Association against the resolution. Where the member does not exercise the right of appeal within the period, or
 - 10.3.5.2 Where within the period the member exercises the right of appeal, until the Association confirms the resolutions pursuant to Rule 11.4.

11 RIGHT OF APPEAL

- 11.1 A member may appeal to the Executive Committee of the Association against a resolution by the Disciplinary Committee, which is conferred under Rule 10.3.3 within fourteen (14) days after notice of resolution is served on the member by lodging with the Secretary a notice to that effect.
- 11.2 Upon receipt of a notice from a member under Rule 11.1, a meeting of the Executive Committee shall be convened within twenty-one (21) days of the date on which the Secretary received the notice to hear the appeal.
- 11.3 At a meeting of the Executive Committee convened under Rule 11.2:
 - 11.3.1 The Disciplinary Committee and member shall be given the opportunity to state their respective cases orally or in writing, or both, and
 - 11.3.2 Although they may be present Executive Members from Club(s) involved in the reason for the Committee to meet are not permitted to vote.
 - 11.3.3 The Executive Committee members present shall vote by secret ballot on the question of whether the resolution shall be confirmed, revoked or varied. If at

the Executive Meeting the Committee passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

11.4 The member has the final right of appeal to the SNSW.

12 EXECUTIVE COMMITTEE

12.1 The affairs of the Association shall be administered by the Executive Committee. Its function shall be to administer the Rules of the Association and to endeavour to carry out its Objects as outlined in Rule 3.

12.2 The Executive Committee shall have the power to:

12.2.1 Determine any matter referred to by its members

12.2.2 Establish any fund to achieve any of the Objects of the Association

12.2.3 Submit a scale of fees in accordance with SNSW

12.2.4 Appoint all Committees from nominations received in writing or from the floor of the AGM

12.2.5 Appoint Officials for all Representative Teams

12.2.6 Deal with any matter which arises between GMs of the Association

12.2.7 Issue any rules in relation to its own affairs or to the affairs of the Association in general or to any matter not contained in these Rules

12.3 The Executive Committee shall circulate a summary of all minutes and reports to Affiliated Clubs.

12.3.1 Any decision reached by the Executive Committee shall be brought to the next GM.

12.3.2 The Executive Committee shall prepare a report on the activities of the Association once each year. It shall also prepare a correct and proper financial statement and balance sheet. A copy of the Annual Report and Balance Sheet shall be sent to the Secretaries of all Affiliated Clubs and SNSW.

12.3.2.1 The jurisdiction of the Executive Committee shall extend to and be acknowledged by all members.

13 COMPOSITION AND TERMS OF OFFICE OF THE EXECUTIVE COMMITTEE

Shall be as follows:

13.1 The Executive Committee shall consist of the following Office Bearers who shall be:

13.1.1 President

13.1.2 1st Vice President

13.1.3 2nd Vice President

13.1.4 Treasurer

- 13.1.5 Secretary
- 13.1.6 Umpire in Chief
- 13.1.7 Director of Scoring
- 13.1.8 Director of Coaching
- 13.1.9 Grounds Coordinator
- 13.1.10 Association Registrar

Each member of the Executive will have one voting right at any meeting.

- 13.2 Each member of the Executive Committee shall be subject to these Rules and hold office for a period of 12 months from the AGM.
- 13.3 Nominations in writing must be in the hands of the Secretary at the GM immediately prior to the AGM in April.
 - 13.3.1 Nominations will be called for from the floor of the AGM to fill any position without nomination.
 - 13.3.2 If more than one (1) nomination is received for a position the matter will be decided by secret ballot.
- 13.4 A person may be nominated for more than one (1) office of the Association. The Ballot for the election of the various offices shall be conducted in the order in which the office bearers are listed in Rule 13.1.
- 13.5 Members participating (on permission) with the Association shall not be eligible for election to the Executive Committee.

14 DUTIES OF OFFICE BEARERS

14.1 The President shall:

- 14.1.1 Be the executive head of the Association
- 14.1.2 Preside at all meetings of the Association at which he/she is present
- 14.1.3 Have authority on every question of order at meetings and in cases of doubt or difficulty, the usual rules of debate shall be followed
- 14.1.4 Present the Annual Report of the Association at the AGM
- 14.1.5 Carry out any other duties assigned by the Executive Committee

14.2 The 1st Vice President shall:

- 14.2.1 Be responsible for organizing Representative selectors and trials
- 14.2.2 Be responsible for the distribution and collection of all equipment in relation to the Association Representative teams
- 14.2.3 Preside over any meeting of the Association where the President is unable to attend and assume the rights and responsibilities given to the President if they were in attendance, for the duration of the meeting

- 14.2.4 Be the Chairman of the Protests and Disputes Committee
- 14.2.5 Be the Chairman of the Association Representative Teams Committee
- 14.2.6 Carry out any other duties assigned by the Executive Committee
- 14.3 The 2nd Vice President will:
 - 14.3.1 Be the Chairman and Convenor of the Association Match & Fixtures Committee
 - 14.3.2 Preside over any meeting of the Association where the President and 1st Vice President is unable to attend and assume the rights and responsibilities given to the President if they were in attendance, for the duration of the meeting
 - 14.3.3 Be the Chairman of the Association for Invitational Tournaments or State Championships Organising Committee
 - 14.3.4 Be the Chairman of the Association Disciplinary Committee
 - 14.3.5 Ensure that all games are advertised including details of grounds, times and appointed Umpires
 - 14.3.6 Carry out any other duties assigned by the Executive Committee
- 14.4 The Treasurer shall:
 - 14.4.1 Keep a true and correct record of all finances of the Association
 - 14.4.2 Keep proper accounts and send receipts within fourteen (14) days for all monies received
 - 14.4.3 Submit a financial statement giving an account of the financial movement of the Association
 - 14.4.4 Prepare a financial statement for presentation at the AGM
 - 14.4.5 Prepare a budget for coming season
 - 14.4.6 Be responsible for the operating of accounts
 - 14.4.7 Carry out any other duties as assigned by the Executive Committee
 - 14.4.8 Be the Chairman of the Association Canteen Management Committee
 - 14.4.9 Prepare monthly financial movement and statements at each Executive meeting
 - 14.4.10 Prepare Annual Statement (Form 2) for The Office of Fair Trading within one month of the AGM
- 14.5 The Secretary shall:
 - 14.5.1 Conduct all correspondence on behalf of the Association
 - 14.5.2 Be responsible for the writing and posting of all notices of meetings, and list in an agenda any business pertaining
 - 14.5.3 Keep names and addresses of members of the Association and Secretaries of Affiliated Clubs
 - 14.5.4 Keep a true and correct record of all minutes and resolutions put to all duly constituted meetings and record the voting appropriately

- 14.5.5 Prepare and submit an Annual Report to SNSW
- 14.5.6 Perform all clerical duties and any other duties as assigned by the Executive Committee
- 14.5.7 Keep a record of all meetings (including Executive Committee meetings) and minutes thereof and present them to the next GM
- 14.5.8 Keep an attendance book for all Association meetings
- 14.5.9 Perform any clerical or other duties requested by the Executive Committee
- 14.5.10 Be an Ex Officio member of the Association Representative Team Committee
- 14.6 The Umpire in Chief (UIC) shall:
 - 14.6.1 Be the Convenor of the Association Protests & Disputes Committee
 - 14.6.2 Be responsible for the development of the Association Umpires
 - 14.6.3 Be responsible for the allocation of Umpires to Association competition games, at their discretion with prior notice to rostered teams
 - 14.6.4 Be an Ex Officio member of the Match & Fixtures Committee
 - 14.6.5 Be a member of the Association invitational Tournament or State Championship organizing Committee
 - 14.6.6 Be an officio member of the Association Representative Team Committee
 - 14.6.7 Be responsible for allocation of Umpires for any tournament conducted by the Association
- 14.7 The Director of Scoring shall:
 - 14.7.1 Be responsible for the development of the Association Statisticians
 - 14.7.2 Maintain a register of all accredited Scorers
 - 14.7.3 Be an officio member of the Association Representative Team Committee
- 14.8 The Director of Coaching shall:
 - 14.8.1 Be responsible for the development of the Association Coaches
 - 14.8.2 Be official member of the Association Representative Committee
 - 14.8.3 Be Convenor of the Association Selection Committee
 - 14.8.4 Maintain a register of all accredited coaches within the Association
 - 14.8.5 Be the Convenor of the Association Coaching Committee
- 14.9 The Grounds Coordinator shall:
 - 14.9.1 Be the Chairman and Convenor of the Association Grounds Committee
 - 14.9.2 Carry out any other duties assigned by the Executive Committee
 - 14.9.3 Be responsible to ensure the grounds are maintained to be safe and in line with the rules of Softball
 - 14.9.4 Be responsible for the hiring of grounds to all persons

14.9.5 Liaise with the Canteen Co-Ordinator for any canteen duties for ground hire

14.10 The Registrar shall:

14.10.1 Act as the Association's Registrar

14.10.2 Act as the Association's recorder during the competitive season

14.10.3 Compile a list of results for publication at the end of each day's play

14.10.4 Carry out any other duties as assigned by the Executive Committee

14.10.5 Maintain a register of names and addresses of all registered members of the Association

15 CASUAL VACANCIES

15.1 For the purpose of these Rules a casual vacancy in the Executive Committee occurs if a member:

15.1.1 Dies

15.1.2 Ceases to be a member of the Association

15.2 Resigns office by notice in writing given to the Secretary or removed from office under Rule 16 herein.

15.3 Any casual vacancy occurring in the Executive Committee shall be filled by a member elected at a SGM.

16 REMOVAL OF A MEMBER OF THE EXECUTIVE COMMITTEE

16.1 Any member of the Executive Committee may be removed from office by a 75% majority vote of the votes recorded at a SGM called for that purpose. The SGM may by resolution appoint another person to hold such office until the expiration of the term of the member so removed.

16.2 A member of the Executive Committee to whom a proposed resolution referred to in Rule 16.1 relates may appeal such resolution and such appeal shall be made and conducted in accordance with the provisions of Rule 11 herein.

17 MEETINGS AND QUORUM

17.1 The Executive Committee shall meet regularly once every month and at the request of any member of the Committee within seven (7) days of the request being delivered to the Secretary.

17.2 The Chairman for all meetings shall be the President for the ensuing term. In the absence of the President, the 1st Vice President shall chair the meeting. In the absence of both the President and 1st Vice President, the 2nd Vice President shall chair the meeting.

- 17.3 Each member of the Executive Committee shall be entitled to one (1) vote only. The Chairman shall have a deliberative as well as a casting vote.
- 17.4 A quorum at any Executive Meeting of the Association shall consist of five (5) members of the Executive Committee.

18 REPRESENTATIVE COMMITTEE

- 18.1 Where possible, all selection panels shall consist of three (3) people, each being at least a Level Three (3) Coach along with the appointed Head Coach of each team and the 1st Vice President.
- 18.2 The Committee shall meet whenever necessary or when directed by the Executive Committee.

19 MATCH & FIXTURES COMMITTEE

- 19.1 Match & Fixtures shall consist of one member from each Club, 2nd Vice President and UIC as an Ex Officio member. Nominations for the Match & Fixtures Committee shall be at the AGM.
- 19.2 Members participating "on permission" with the Association shall not be eligible for appointment to the Match & Fixtures Committee.
- 19.3 The 2nd Vice President and four (4) members shall form a quorum:
- 19.3.1 This Committee shall meet whenever necessary or when directed by the Executive Committee.

20 PROTEST AND DISPUTES COMMITTEE

- 20.1 This Committee shall be appointed by the Executive of the Association.
- 20.2 The UIC of the Association shall be the Convenor of this Committee and the 1st Vice President of the Association shall be the Chairman.
- 20.3 This Committee shall consist of three (3) members (being the convenor plus one (1) qualified Umpire member + one representative of Match & Fixtures as determined by the Executive.
- 20.4 Minutes of all meetings shall be recorded and submitted to the Executive. All decisions reached by this Committee shall be passed on to the next Association GM.

21 DISCIPLINARY COMMITTEE

- 21.1 Each Affiliated Club shall nominate one (1) financial member, eighteen (18) years or over, for this Committee, to hear matters referred to it in relation to Rule 10.

- 21.2 This Committee shall meet within seven (7) days following direction from the Executive Committee and the final panel shall consist of:
- 21.2.1 The Association 2nd Vice President will be the Chairman of this Committee (but does not have a vote).
 - 21.2.2 Three (3) members of the Committee, selected by the Executive Committee, all of who shall be from Clubs not involved in the reason for the Committee to meet.
 - 21.2.3 Should the 2nd Vice President's Club be involved then the Association President, should the President's Club be involved then the committee shall be chaired by the most senior member of the Executive who is from a Club not involved in the matter to be heard by the Committee (refer to Rule 13.1 for the list of seniority).
 - 21.2.4 Persons involved in a disciplinary hearing will be allowed to have a member of their Club act as their advocate and be present during the hearing.
- 21.3 Three (3) members shall form a quorum.
- 21.4 The decision reached by this Committee shall be communicated to the person (s) concerned within fourteen (14) days of the meeting.
- 21.5 Minutes of all meetings shall be recorded and submitted to the Executive. All decisions reached by this Committee shall be advised to the next Association GM.

22 COACHING COMMITTEE

- 22.1 This Committee shall consist of one (1) delegate from each Affiliated Club.
- 22.2 The Association Director of Coaching shall be the convenor of this Committee.
- 22.3 This Committee shall meet either whenever necessary or as directed by the Executive.

23 WET WEATHER COMMITTEE

This Committee shall consist of two (2) members of the Executive Committee, being the 2nd Vice President (or his delegate from Match & Fixtures), and one other Executive member.

- 23.1 Two (2) members shall form a quorum.
- 23.2 This Committee shall meet whenever necessary.
- 23.3 The decision of this Committee shall be advised to all the members of the Match & Fixtures Committee.

24 CANTEN MANAGEMENT COMMITTEE

- 24.1 Each Affiliated Club shall be required to nominate one (1) member for this Committee.
- 24.2 A majority of nominated members shall form a quorum:
- 24.2.1 This Committee shall meet whenever directed by the Executive Committee or whenever necessary, and

24.3 The Association Treasurer shall be the Chairman and Convenor of this Committee

24.4 The canteen will be manned by outside contractors as determined by the Executive from time to time

25 SUB-COMMITTEES

The Executive Committee or a GM of the Association shall have the power to appoint sub committees as deemed necessary.

26 VOTES AND VOTING

26.1 Subject to this Rule upon any question arising at a GM, SGM or AGM of the Association a member has one (1) vote only.

26.2 A Full Affiliated Club shall be entitled:

26.2.1 To receive notice of, and

26.2.2 To attend, and

26.2.3 To have five (5) votes which may be held by one delegate member from such full Affiliated Club at any AGM or SGM of the Association

26.2.4 To have one (1) vote which may be held by one delegate from such Affiliated Club at any GM of the Association

26.3 A Level 2 Affiliated Club shall be entitled:

26.3.1 To receive notice of, and

26.3.2 To attend, and

26.3.3 To have two (2) votes which may be held by one delegate member from such Level 2 Affiliated Club at any AGM or SGM of the association

26.3.4 To have one (1) vote which may be held by one (1) delegate from such Affiliated Club at any GM of the Association

26.4 A Level 1 Affiliated Club shall be entitled:

26.4.1 To receive notice of, and

26.4.2 To attend, and

26.4.3 To have one (1) vote which may be held by one delegate member from such Level 1 Affiliated Club at any AGM or SGM of the Association

26.4.4 To have one (1) vote which may be held by one delegate from such Affiliated Club at any GM of the Association

26.5 A Life Member shall be entitled:

26.5.1 To receive notice of, and

26.5.2 To attend, and

- 26.5.3 Vote at any AGM or SGM of the Association
- 26.6 An Executive Committee Member shall be entitled:
 - 26.6.1 To receive notice of, and
 - 26.6.2 To attend, or
 - 26.6.3 Vote at any meeting of the Association
- 26.7 A Player or Non-Player Member shall not be entitled:
 - 26.7.1 To receive notice of, or
 - 26.7.2 Vote at any GM of the Association unless such member is also an Executive Member or Delegate Member
- 26.8 All votes shall be given personally.
- 26.9 An observer shall not hold a proxy or vote at any meeting of the Association.
- 26.10 A Delegate Member shall be entitled to:
 - 26.10.1 Appoint another member as proxy by notice given to the secretary prior to the time set down for the commencement of the meeting in respect of which the proxy is appointed.
 - 26.10.2 The document appointing such proxy must be countersigned by the Secretary or other authorized officer of such affiliate.
 - 26.10.3 The notice appointing the proxy shall be in the form prescribed by the administrative regulations of the Association.

27 MEETINGS

27.1 Annual General Meeting

- 27.1.1 Any AGM shall be held during the month of April each year at such time and place as the Executive Committee shall determine.
- 27.1.2 The Chairman shall be the President for the ensuing term. In the absence of the President, the 1st Vice President shall chair the meeting. Should both the President and 1st Vice President be absent, the Chairman for the particular meeting will be elected by the meeting from those members present.
- 27.1.3 The business of the AGM shall be:
 - 27.1.3.1 To receive and confirm the minutes of the previous AGM
 - 27.1.3.2 Business arising from the minutes
 - 27.1.3.3 Correspondence relating to AGM matters
 - 27.1.3.4 To receive and adopt the Annual Report, which shall include a report from the President and Secretary and a Statement of Accounts
 - 27.1.3.5 To elect Office Bearers
 - 27.1.3.6 To appoint a patron, if applicable

- 27.1.3.7 To appoint an Auditor, if applicable
- 27.1.3.8 To appoint a Solicitor, if applicable
- 27.1.3.9 To confer Life Membership, if appropriate
- 27.1.3.10 To make, rescind or amend these rules
- 27.1.3.11 To deal with any other business brought before this meeting
- 27.1.4 A quorum for the AGM shall consist of delegates from at least 75% of the Affiliated Clubs entitled to vote.
- 27.1.5 In the event of there not being a quorum within half an hour after the scheduled time, the Chairman shall adjourn the meeting to a date not less than seven (7) days or more than fourteen (14) days hence.
- 27.1.6 In the event of there not being a quorum at the re-scheduled meeting the Chairman shall carry out the business of the meeting and any resolutions and decisions made shall be valid and binding on members of the Association.
- 27.1.7 Voting shall be restricted to Life Members, Office Bearers and the prescribed number of votes by delegates from Affiliated Clubs (in terms of Rule 27.2; 27.3 and 27.4) present and entitled to vote.
- 27.1.8 The President or Chairman shall exercise a casting vote when voting is equal.
- 27.1.9 No member may vote in more than one capacity.
- 27.2 **Special General Meetings**
 - 27.2.1 SGM of this Association may be called at the direction of the President and Secretary, or by a requisition signed by the Secretary of at least two (2) Affiliated Clubs.
 - 27.2.2 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 the meeting shall be stated. Discussion at the SGM shall be confined to this business.
 - 27.2.3 The Chairman shall be the President for the ensuing term. In the absence of the President, the 1st Vice President shall chair the meeting. Should both the President and 1st Vice President be absent, the Chairman for that particular meeting will be the 2nd VP.
 - 27.2.4 A quorum at a SGM shall consist of delegates from at least 75% of the Affiliated Clubs entitled to vote.
 - 27.2.5 Voting shall be restricted to Life Members, Office Bearers and the prescribed number of votes by delegates from Affiliated Clubs present and entitled to vote.
 - 27.2.6 The President or Chairman shall exercise a casting vote when voting is equal.
 - 27.2.7 No member may vote in more than one capacity.
- 27.3 **General Meetings**
 - 27.3.1 GMs shall be held at such time and place as determined by the Executive Committee.

- 27.3.2 The Chairman shall be one nominated Executive Member who will present a summary of the minutes from the previous Executive Meeting. They will also be responsible for taking of minutes to present to the next Executive meeting.
- 27.3.3 A quorum at any GM shall consist of delegates from at least 60% of the Affiliated Clubs entitled to vote.
- 27.3.4 Should there not be a quorum at any GM within half an hour after the appointed time, the Chairman may:
 - 27.3.4.1 Adjourn the meeting to a date not less than seven (7) days or more than fourteen (14) days hence.
- 27.3.5 The voting shall be restricted to Executive Members and the prescribed number of delegates from Affiliated Clubs present and entitled to vote.
- 27.3.6 The Chairman shall exercise a casting vote when voting is equal.
- 27.3.7 No member may vote in more than one capacity.
- 27.3.8 It shall be considered good and sufficient notice for all delegates and members present at one meeting to receive verbal notice from the Chairman of the succeeding meeting.
- 27.3.9 When any notice of motion is received to be dealt with at the next meeting, such notice of motion shall be given to all Affiliated Clubs at least fourteen (14) days prior to the date of the next meeting.
- 27.3.10 Failure for delegates of clubs to attend a GM shall incur a fine of \$50.00.

28 FUNDS

- 28.1 The funds of the Association shall be derived from registration fees, fines, levies, grants, sponsorships, donations, investments and such other sources as the Association determines.
- 28.2 The funds of the Association shall be used in pursuance of the Objects of the Association in such manner as the Association determines.
- 28.3 All monies received by the Association shall be deposited as soon as practicable in an account in the Association's name with a financial institution approved by the Association.
- 28.4 The Association shall as soon as practicable after receiving any money issue an appropriate receipt.
- 28.5 Proposed expenditure of a capital nature (over \$5000.00) shall be recorded in the Executive Meeting Minutes refer Rule 12.3 then circulated to the clubs.
- 28.6 All accounts received shall be submitted to an Executive Committee meeting and if approved paid by the Association cheque or electronic transfer.
- 28.7 All payments shall bear two (2) authorisations. Persons authorised to sign shall be Office Bearers refer Rule 13.1.

29 ALTERATIONS OF OBJECTIVES AND RULES

- 29.1 Notices of additions and amendments to these Rules must be given in writing to the Secretary of the Association at least 48 hours prior to the March GM and shall be duly circulated to all Affiliated Clubs.
- 29.2 A new Rule or amendment shall not be adopted unless carried by a majority vote of at least 75% of those delegates present and eligible to vote. Voting shall be by secret ballot.

30 INSURANCE

The Association shall effect and maintain insurance as is required under the Association's Incorporation Act together with any other insurance, which may be required by law or regarded as necessary by the Association.

31 CUSTODY OF BOOKS

Except as otherwise provided by these Rules, the Secretary shall keep all records, books and other documents relating to the Association.

32 INSPECTION OF BOOKS

The records, books and other documents of the Association shall be open to inspection free of charge by a member of the Association at any reasonable hour.

33 WINDING UP

Softball Macarthur Incorporated shall not be disbanded without the consent of all Affiliated Clubs.

34 GAME DAY – DISCIPLINARY MEASURES

- 34.1 NOTE: This Rule is to be used in conjunction with Rule 10. Disciplinary Measures of the Association.
- 34.2 Game day refers to games of Softball being played on the Association grounds during the regular softball season, deferred games, invitational games or games convened as part of a gala day event. Games convened as part of a state tournament refer directly to the Rules and Regulations of SNSW.
- 34.3 With reference to SNSW Rules any member, player or official removed from a game will be required to leave the immediate playing area until the end of the game.
- 34.4 If in the Umpires opinion, the game cannot continue according to the rules of softball with the result of a person being removed from the game. The Umpire will call a halt to the

- game and if the situation warrants, the game is forfeited and the team with the removed member forfeiting the game. The opponent team is awarded the result of 7-0.
- 34.5 The incident which resulted in a person being removed 'or ejected' from a game will be recorded on the match card. The umpire convening the game will sign the match card once coaches from each team have provided written content and countersigned where appropriate. Note: If a Coach is the member removed from the game, then the Assistant Coach for that team will be the one responsible for the written content.
- 34.6 The match card must be handed directly to an executive member of the Association or Duty Officer at the grounds. The executive member will read the reports on the match card, then approach members from Clubs available / present on the day (or as soon as possible after the incident, call upon members from Clubs ideally within 7 days of the incident). To form a Match Review Committee.
- 34.7 A Match Review Committee consisting of at least three (3) members from different Clubs (i.e. Clubs not represented in the game where the incident occurred and the person removed). Will be convened the Executive Member appointed will provide the match card details to the representative Clubs members.
- 34.8 The player or official removed from the game, the officiating Umpire and Coaches, Assistant Coaches, Scorers and if required members from the sideline invited to discuss the incident.
- 34.9 Each person called to the Match Review Committee meeting will have an opportunity to provide verbal reports of the incident and if applicable refer to any documented evidence i.e. Softball rules.
- 34.10 Once all reports are provided, the Match Review Committee will discuss the details provided and will refer to Softball Rules and Regulations / SNSW Rules. Note: Executive member cannot vote. The Committee (of at least 3 members) vote on the appropriate action commensurate with the severity of the incident. The Match Review Committee may, based upon the facts, details and rules presented:
- 34.10.1 Decide the removal from the game was sufficient penalty for the incident and allow the member to resume playing, or;
- 34.10.2 Based upon the facts and details presented impose a maximum penalty of 3 games inclusive of the game where the member was removed from, or;
- 34.10.3 Decide the decision to remove the player was not valid, in this case the player is allowed to resume playing and the result of the game referred to the Match & Fixtures Committee to decide on a course of action. I.e. declare the game void and request the game to be replayed, or based upon the time of the incident assuming there was sufficient game time completed (consideration for what constitutes a game) revert back to a valid score, the Match & Fixtures Committee will review the scorebooks associated with the game, or
- 34.10.4 Call for more details and advise the member they are not entitled to play / participate until such time as the incident is fully investigated and a decision handed down, or

- 34.10.5 Decide to refer the matter to the Disciplinary Committee process – by invoking Rule 10 Disciplinary Measures by submitting a written report, or
- 34.10.6 An appeal process is available to members involved in any of the aforementioned Rules; please refer to Rule 11 Right of Appeal.