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| CONSTITUTION, BY-LAWS AND RULES **CONTENTS** PART A – CONSTITUTION Page 1. Name 1  2. Objects 1  3. Powers of the Association 1  4. Affiliation 2  5. Colour 2  6. Members 2  7. Life Members 2  8. Honorary Members 3  *9.* Patron 3  10. Register of Members 3  11. Committees 3  12. Sub-Committees 4  13. Election of Officer Bearers 4  14. Term of Office 4  15. Casual Vacancies of the Committee 4  16. Conduct 4  17. Meetings of the Association 5  17.1 Annual General Meeting  17.2 Special General Meetings 5  17.3 Committee Meetings 5  17.4 General Meetings 5  18. Quorum 6  19. Voting 6  20. Duties of Office Bearers 6  20.1 President 6  20.2Secretary 7  20.3 Treasurer 7  20.4 Registrar 7  21. Association Year 7  22. Finance 8  23. Audit 8  24. Disclosure of Interest 8  25. Common Seal 8  26. By-laws and Rules 8  27. Alteration to Constitution 9  28. Dissolution of the Association 9  29. Adoption 9  30. Addendum: Constitutional Amendments & Changes 9 PART A CONSTITUTION **1. NAME**  1.1 The name of the Association shall be the Swan Districts Tee-ball Association (Incorporated) which may be abbreviated to SDTBA, and hereinafter referred to as the “Association”.  **2.** **OBJECTS**  2.1 The objects of the Association are:  a. To generally promote the game of Tee-ball, in the Swan Districts’ area.  b. To obtain sponsorship for the sport. (Excluding liquor and cigarette companies.)  c. To do all such things as are conductive or incidental to the above objects, or any of them.  2.2 The property and income of the Association shall be applied solely towards the promotion of the objects of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.  **3. POWERS OF THE ASSOCIATION**  3.1 The Association shall have the following general powers and be trustees of SDTBA for the following:  a. To acquire, hold, deal with and dispose of any real of personal property for the purpose of advancing the objects of the Association.  b. To open and operate bank accounts.  c. To invest its money in any security in which trust monies may be invested, or in any other manner authorized by the rules of the Association.  d. To appoint agents to transact any business of the Association on its behalf.  e. To enter into any other contract the Association considers necessary or desirable.   * 1. To raise money for the purpose of carrying out the affairs of the Association, in any of the following ways.  1. Public functions or entertainment. 2. Sponsorship by business enterprises. 3. Fundraising.   3.3 To contract with local governing bodies or other duly constituted bodies, for the lease or use of playing grounds or equipment for playing the game of Tee-ball.   * 1. To do all things necessary to give effect to all resolutions duly passed at a meeting of the Association’s members.   **-1-**  **7.** **LIFE MEMBERS continued**  7.2 A maximum of two life memberships may be given in any one Association Year.  7.3 Each nominee should meet the following criteria:  Must have given at least six (6) years service to the Association including a minimum of two years on the full committee or, In the case of non-committee members, they must have given service of at least ten (10) years to the Association in another capacity {i.e. Coaching).  **8. HONORARY MEMBERS**  Committee Members  1. Association Managers  2. Area Co-coordinators  3. Any office bearers elected at an Annual General Meeting or appointed pursuant to a casual vacancy.  8.1 The Full Committee may elect honorary members to the Association who:  6  a. Wish to play, but in the opinion of the Executive Committee cannot afford to do so, or  b. Are persons with a non-playing interest and who may make application to the Association in the required form.  **9. PATRON**  9.1 The Association may, at its discretion, elect a Patron(s) of the Association at any Annual General Meeting for such a period as may be deemed necessary. A majority of those present will be sufficient to elect any Patron. Such Patron(s) shall not be eligible to vote unless they are current members of the Association under another category of membership.  **10. REGISTER OF MEMBERS**  10.1 The Registrar shall, on behalf of the Association:  a. Keep and maintain a register of members of the Association, which shall be so kept and maintained at the Registrar’s place of residence.  b. Cause the name of a person who dies, or ceases to be a member of the Association, to be deleted from the Register of Members.  **11.** **COMMITTEES**  11.1 The affairs of the Association shall be managed exclusively by a committee of management, known as the Full Committee, consisting of:  Executive Committee  1. President  2. Vice President  3. Secretary  4. Treasurer  5. Registrar  6. Sponsor’s Co-coordinator   1. Chief Coach 2. Chief Umpire   **-3-**  **16. CONDUCT**   * 1. The Executive Committee shall have the power to enquire into any matter it thinks fit & suspend or otherwise deal with any member or club official deemed guilty of conduct not in the best interests or objects of this Association or tee ball, or set out in the by-laws.   All out comes will be sent in the form of a letter to all parties concerned. 16.2 ‑ SUSPENSION AND DISQUALIFICATION (a) Any member failing to pay his/hers affiliation fee or other amounts due to the Association before the date required shall forfeit there right to represent his/her team or teams & shall not be represented until the member becomes financial.  (b) Any person under suspension or disqualification shall be barred from playing or taking part in any match under the control of the Association  16.3 A member who has been suspended or banned from the Association shall serve the full suspension or ban unless it is proven that such suspension or ban causes extreme hardship to that person or persons associated (i.e.: immediate family)  16.4 If a vote of no confidence in a committee person is passed, it shall become effective from that particular time and date (i.e. immediately).  16.5 Any person or persons involved with this Association found to be using a substance deemed to be illegal under the law:-    a. will be immediately suspended from the Association, will take no further part in the Association or its business, committee, coaching, managing, scoring, games and/or training where children are involved and could face instant dismissal pending a hearing before the Full Committee.  b. will be given the opportunity to appear before the Full Committee to answer any charge of illegal substance abuse of which he/she is accused. The penalty will be decided by the Full Committee. If found guilty of the said charge the penalty will be instant dismissal from the Association as no first, second or subsequent breaches will be tolerated under any circumstances. Details pertaining to the illegal incident may be passed on to the authorities concerned should the Full Committee deem this to be appropriate.  **17.MEETINGS OF THE ASSOCIATION**  17.1 Annual General Meeting  a. The Annual General Meeting shall be held each year within 4 months of the club’s EOFY.  b. Voting at an Annual General Meeting shall be restricted to financial, adult Members, Life Members and Honorary Members.  c. Business at the Annual General Meeting shall include:  1. The tabling of the Annual Report of the committee,  2. The election of office bearers, and  3. Dealing with any other matter or matters brought before the meeting, of which notice, in writing, has been given at least fourteen (14) days prior to the date set for the meeting.  17.2 Special General Meetings  a. A Special General Meeting of members may be convened by the Full Committee by giving not less than seven days notice, in writing, or published in the appropriate newspaper.  **-5-**  20.2 Secretary  The Secretary shall:  a. Co-ordinate the correspondence of the Association.  b. Cause proper minutes of all proceedings of all-general meetings and committee meetings to be taken. These minutes are then to be entered within thirty days after the holding of each general meeting and committee meeting as the case requires, in the minute book kept for that purpose.  c. When minutes have been entered and signed as correct under this rule, they shall, until the  contrary is proved, be evidence that:  1. The general or committee meeting to which they relate was duly convened and held:  2. All proceedings recorded as having taken place at the meeting did, in fact, take place, and  3. All appointments or elections purporting to having been made at the meeting have been validly made  d. Have custody of all the books, documents and records of the Association other than those to be kept and maintained by the Treasurer and Registrar.  e. Perform the clerical work of the Association and carry out all directions given at such meetings.  f. Have the right to attend all meetings of committees and sub-committees but shall have no voting power at such meetings unless he/she is a selected member of that committee.  g. Ensure that a personal copy of the Association’s Constitution is available to all members upon request  h. Hold the Common Seal and keep an up-to-date record of its use.  20.3 Treasurer:  The Treasurer shall:  a. Be responsible for all monies collected and received by the Association and shall issue receipts of those monies in the name of the Association.  b. Pay all monies into approved Association accounts within a week of its receipt or by direction of the Association.  c. Make payments from the funds of the Association with the authority of a Full Committee Meeting and, in so doing; ensure that all cheques are signed by two of three signatories.  d. Keep accounting records that correctly record and explain the financial position of the Association.  e. Keep its accounting records in such manner as will enable true and fair accounts of the Association to be properly audited.  f. Present a reconciled, financial statement of accounts at each general monthly Meeting.  g. Shall present to the members at the Annual General Meeting the accounts of the Association showing the financial position of the Association at the end of the preceding year.  20.4 Registrar  The Registrar shall:  a. Maintain and up to date and accurate detail of the members of the association and their postal or residential addresses.   1. Make this Register available to the members for inspection upon request. 2. Provide a report at each General meeting on the status of Registration amounts received and outstanding. 3. Provide to the Treasurer a list of unfinancial members at least twice in a season. In November and February. 4. Maintain a record of officers of the Association and the positions held including all persons authorized to use the Common Seal, these being President, Secretary and Treasurer. 5. Provide a results ladder at the time requested by the Committee.    * 1. Two other Committee persons to hold a back up copy of the Register, to be determined by the Executive Committee for the purpose to safe guard against data corruption or loss.   **-7-**  **27. ALTERATION TO CONSTITUTION**  27.1 Noalteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or General Meeting called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to the secretary fourteen (14) days prior to the Annual General Meeting, or seven (7) days prior to a General Meeting called for such purpose.  27.2 The Secretary shall provide copies of such notices of motion to each member present at the Annual General Meeting.  27.3 Alterations to the By-Laws can only be made at Committee Meetings provided notice of the proposed alteration/s has been duly notified to Committee Members.  27.4 Such motions or any part thereof shall have no effect unless passed by a seventy five percent (75%) majority (Special Resolution) of those present and entitled to vote at that meeting.    **28. DISSOLUTION OF THE ASSOCIATION**  28.1The Association may at any time, with a Special Resolution and the consent of a majority of seventy five percent (75%) of the members present, at any General Meeting called for the purpose, be dissolved.   * 1. If upon the winding up of the Association there remains after satisfaction of all it’s debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the members, but shall be given or transferred  1. to another association incorporated under the act which has similar objects; or 2. for charitable purposes   Which association or purposes, as the case requires, shall be determined by resolution of the members.   * 1. The Association, Institution or object to which disbursement of property shall be applied, shall be determined by the members of the Association at or before the time of the dissolution or winding up, or in default thereof or if and in so far as effect cannot be given to such determination then such payment or distribution shall be determined by a Judge of the Supreme Court.   **29. ADOPTION**   * 1. This Constitution was adopted by at least a three fourths majority of members present at the Special General Meeting held on the 8th of May 1996.   PRESIDENT TREASURER      Date: Date:    **-9-** |  | **SWAN**  **DISTRICTS**  **TEEBALL**  **Swan Districts Tee-ball Association**  **(Incorporated)**  **Part A**    **CONSTITUTION**  Revised May 1996  (Includes changes *I* additions 1997, 1998, 2003, 2004, 2005, 2007, 2010, 2012)  **4. AFFILIATION**  4.1 The Association shall affiliate with:  a. The Swan Districts Baseball Club. A delegate appointed by the Association shall represent the SDTBA as an ex-officio member of the Swan Districts Baseball Club Management Committee.  b. The Tee-ball Association of Western Australia (TBAWA).  c. Any other organization that, from time to time, may be deemed beneficial or necessary by the Full Committee.  **5. COLOURS**  5.1 The colours of the Association shall be black and white.  5.2 All representative teams as deemed necessary by the Full Committee shall wear the Association colours.  **6.** **MEMBERS**  6.1 Membership of SDTBA shall consist of:  a. Registered players.  b. Parents/Guardians of registered players.  c. Life Members.  d. Honorary Members.   1. The Official age groups.      1. U/7 Cannot turn 7 before the 31st December in that year.   2) U/9 Cannot turn 9 before the 31st December in that year.  3) U/11 Cannot turn 11 before the 31st December in that year.  4) 13’s and Under including children turning 13 before the 31st December in that year (Classed then as Out Of Age). These players must play in the 13’s and under as their Priority game,  then they may choose to play up in the 16’s and under as a second team.  5) 16’s and Under cannot turn 17 before the 31st December in that year and as in e(4) Out Of Age players may play in this division.  6.2 Any person under the age of 18 years may become a member. Such person shall have no voting rights nor be entitled to hold any office.  6.3 Membership shall be for the period from one Registration Day to the next consecutive Registration Day upon payment of the appropriate fees.  **7.** **LIFE MEMBERS**  7.1 Members of the Association who have rendered specially meritorious direct services to the Association may on recommendation by the Full Committee or Executive Committee to the members at a Special, General Meeting or at an Annual General Meeting, be elected life members of the Association by three-fourths majority of the members voting.  **-2-**  **12. SUB-COMMITTEES**  12.1 The Executive Committee may set up or absolve sub-committees from time to time as may be necessary for the operation of the Association.  a. Once the organizing committee has been formed at a general meeting, an initial meeting date shall be arranged within seven days. At that first meeting, the organizing committee’s chairperson or minute secretary shall be elected.  b. The sub-committee chairperson (minute secretary) shall give full minutes, in writing, on the progress of the event at every general meeting.  c. The chairperson shall record all income received and expenditure incurred by the event. The Treasurer as per normal financial rules shall control however, all monies received and/or paid.  d. The chairperson may be assigned a float. All spending of this float must be recorded and signed by the chairperson, to be audited by the Treasurer before each meeting.  e. After the fund-raising event, a financial statement must be tabled by the second general meeting after the event.  **13.** **ELECTION OF OFFICE BEARERS**  13.1 Officers of the Association shall be elected at the Annual General Meeting and the election shall be by poll. No absentee or proxy votes shall be accepted.  13.2 Should nominations for any office be received in excess of the vacancies, a secret ballot shall be taken.  13.3 Should nominations equal the number of vacancies, the persons nominated shall be deemed elected.  13.4 Should insufficient nominations be received at the Annual General Meeting for the number of vacancies, the Association shall appoint a member to fill each position still remaining vacant.  **14.TERM OF OFFICE**  14.1 Newly elected officers shall take office immediately after the close of the meeting at which they are elected and shall continue in office until after the next Annual General Meeting. All officers shall be eligible for re-­election.  **15. CASUAL VACANCIES OF THE COMMITTEE**  15.1 The Full Committee shall fill any vacancy that may occur in their number by appointing any member of the Association and such member so appointed may hold office until the close of the next Annual General Meeting. 15.2 ‑ EMERGENCY COMMITTEE **Non Scheduled tee-ball time.**  Shall consist of three (3) members of the Executive Committee including either the President or Secretary and may authorise any appropriate action to be done or not done in case of emergency where time does not permit the calling of a Special Meeting to deal with the matter in question. Any decision of the Emergency Committee must be reviewed by the Committee or Special Meeting at earliest convenience.    **-4-**  17.2 Special General Meetings continued  b. A Special General Meeting of members shall be convened by the Secretary within fourteen (14) days of receipt of a requisition stating the business and signed by at least twenty-five (25) members of the Association, and by giving not less than seven days notice, in writing, or published in the appropriate newspaper.  17.3 Committee Meetings  a. The Executive Committee shall meet as and when necessary throughout the year.  b. The Full Committee shall meet as and when necessary throughout the year.   1. A meeting of the Full Committee shall be convened by the President or Secretary within fourteen (14) days of receipt of a requisition signed by not less than twenty five (25) financial adult members of the Association, and by giving not less than seven days notice thereof.   **18. QUORUM**  a. A General Meeting of members may be convened by the Full Committee by giving not less than seven (7) days notice, in writing or published in the appropriate newspaper.  b. General Meetings shall be held at least three (3) times during the Association year. At such meetings, any member of the Association is eligible to vote on any issue.  18.1 At all Annual General Meetings and Special General Meetings of the Association, nine (9) members shall make a quorum.  18.2 Where, at any Annual General Meeting or a Special General Meeting, a quorum is not present, the person presiding at the meeting shall adjourn it to such time, date and place as he may decide and, at the adjourned meeting, any number of members shall constitute a quorum.  18.3 A quorum of the Executive Committee shall consist of five, one of which must be the President or a Vice President.  18.4 A quorum for the Full Committee shall consist of ten Full Committee members, five of which shall be members of the Executive.  18.5 A quorum for general meetings shall consist of eight (8), being four (4) Committee Members and four (4) Members.  **19.VOTING**  19.1 Each member present at any meeting is entitled to a deliberate vote with the exception of the Chairperson, who may only vote to retain the status quo.  19.2 Voting shall be by poll or show of hands. Absentee or proxy votes will not be accepted.  **20.** **DUTIES OF OFFICE BEARERS**  20.1 President  The President shall:  a. Be the Chairperson of all meetings of the Association.  b. Be an ex-officio member of all Committees.  c. Act in such a manner as the majority of the members of the Association approves.  d. Maintain the impartiality of the chair.  e. Conform to the rules of meeting procedure and maintain order throughout the meeting.  f. Expedite and finalize the business of the meeting within a reasonable time limit.  g. Ensure adequate and efficient communication exists between the Association, its affiliations and all its members.  **-6-**  **21. ASSOCIATION YEAR**  21.1 The financial year of the Association will commence on the 28th day of April each year.  **22. FINANCE**  22.1Abanking account will be opened with a recognized banking institution, in the name of the Association, which shall be operated by any two of three signatories consisting of President, Secretary and Treasurer.  22.2 A registration fee shall be levied on all members of the Association, in accordance with the rates as set down by the Full Committee, and shall be due and payable by the third playing date of the season.  22.3 The Executive Committee may authorize expenditure as determined at the Annual General Meeting.  22.4 The Full Committee may authorize expenditure as determined at the Annual General Meeting.  **23. AUDIT**  23.1 A meeting of the Association shall appoint an honorary auditor to audit the Association books of account at the close of the financial year.  **24. DISCLOSURE OF INTEREST**  24.1 A member of the Association who has any direct or indirect pecuniary interest in a contract, or proposed contract, made by or in the contemplation of the meeting shall, as soon as he becomes aware of his interest, disclose the nature and extent of his interest to the meeting.  24.2 A member of the Association who has any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in the contemplation of the meeting shall not take part in any decisions or deliberations of the meeting with respect to that contract.  24.3 The Association shall cause every disclosure made under this section by a member of the Association, to be recorded in the minutes of the meeting at which it is made.  **25. COMMON SEAL**  25.1 The Association shall have a Common Seal and such seal shall be held in the custody of the Secretary, who shall affix same to such documents as from time to time are directed by the Full Committee. The President and the Secretary shall witness the affixing of the Seal.  **26. BY-LAWS AND RULES**  26.1 The Association shall develop By-Laws and Rules.  26.2 By-Laws shall constitute decisions of policy as voted on at Annual, Full Committee or General Meetings of the Association, and may only be changed at such meetings. All By-Laws must be in accordance with and not overrule or contradict this Constitution.   * + - 1. All play must be conducted in accordance with the Rules of Tee-ball as settled or approved from time to time. Notice of any local playing rules made by the Committee under the power herein contained, shall be posted on the notice board of the Association and remain there for one month.   **-8-**  **30. ADDENDUM**  **Constitutional Amendments & Changes:**  1. May AGM, 1997- 16.3 & 16.4 added, 17.3 amended.   1. May AGM, 1998- 7.3 added, 20.3 (f) & 23.1 amended. 2. June AGM, 2003- 11.1 Item #2 deleted, 18.5, 21.1, 23.1 amended. 3. June AGM, 2003- 20.4 a & b amended, c, d, e & f added. 4. June AGM, 2003- 20.5 added. 5. June AGM, 2003- 28.3 amended as per The Associations Inc Act (1987). 6. June AGM, 2003- 17.1A amended. 7. June AGM, 2004- added 16.5, changed 18.1. 8. June AGM, 2005- added 16.2 d. 9. June AGM 2007 – added 15.2, amended 16.1,16.2, 18.1, 18.5, 27.1, 27.2 10. June AGM 2010 – added 6.1e, 6.1e(1), 6.1e(2), 6.1e(3), 6.1e(4) 6.1e(5) 11. June AGM 2012 – amended 7.1 & 18.1 12. Sept 2012 – amended 17.1a & 28.1 |