

BELMONT

BASEBALL CLUB

INCORPORATED

2010

THE RULES OF BELMONT BASEBALL CLUB INC

PART 1 Preliminary

1. Interpretation4

PART II Membership

2. Membership Qualifications.....5
3. Nomination for Membership.....5
4. Cessation of Membership.....5
5. Membership Entitlements Not Transferable.....5
6. Resignation of Membership.....5
7. Register of Members6
8. Fees, Subscriptions, etc.....6
9. Member's Liabilities.....6
10. Disciplining of Members6
11. Right of Appeal of Disciplined Member.....7
12. Patrons and Life Members7
13. Powers, etc., of the Committee.....8
14. Constitution and Membership8
15. Election of Members9
16. Secretary.....10
17. Treasurer.....10
18. Casual Vacancies10
19. Removal of a Member.....11
20. Meetings and Quorum.....11
21. Delegation by Committee to Sub-Committee.....11
22. Voting and Decisions.....12
23. Annual General Meetings, holding of.....12
24. Annual General Meetings, calling of and business at.....12
25. Special General Meeting, calling of.....13
26. Notice.....13
27. Procedure.....14
28. Presiding Member.....14
29. Adjournment14
30. Making of Decisions14
31. Special Resolution.....15
32. Voting15
33. By-Laws.....15

34. Insurance.....	15
35. Funds - Source	16
36. Funds - Management	16
37. Alteration of Objects and Rules.....	16
38. Common Seal	16
39. Custody of Books, etc.....	16
40. The Inspection of Books, etc.....	16
41. Service of Notices	16
42. Surplus Property.....	17

BY - LAWS

1. Name	18
2. Object.....	18
3. Headquarters	18
4. Colours	18
5. Office Bearers	18
6. Annual Meetings.....	18
7. Duties of the Secretary.....	19
8. Duties of the Treasurer.....	19
9. Auditors	19
10. Funds of the Club.....	20
11. Selection Panel.....	20
12. Clearances.....	20
13. Fees and Subscriptions.....	21
14. Change of Address.....	21
15. Interpretation of By-Laws.....	21
16. Junior League	21
Appendix I : Membership Application Form.....	22
Appendix II : Belmont Baseball Club Logo.....	23
Appendix III : Criteria for Club Awards.....	24

THE RULES OF BELMONT BASEBALL CLUB INC

PART I Preliminary

1. Interpretation

In these Rules except in so far as the context or subject matter otherwise indicates or requires:-

“associate member” means a person who has an interest in a game of baseball and in the affairs of the Club but who is unavailable or unable to play baseball for the Club and who is admitted as a member of the Club and pays the entrance fee and Annual subscription referred to in Rule 8(1a) and 8(2a) respectively.

“By-Laws” means the By-Laws of the Club for the time being in force:

“Club” means the association named “Belmont Baseball Club Inc” incorporated under the Act.

“elected position” means any appointed position or elected office in the Club other than that of an office bearer or of an ordinary member of the Committee.

“N.B.A.” means the Newcastle Baseball Association Inc.

“ordinary member” means the member of the committee who is not an office bearer of the Club, as referred to in Rule 14(2):

“player member” means a person who desires to play baseball for the Club and who is admitted to membership to the Club and pays the entrance fee and Annual subscription referred to in Rule 8(1b) and Rule 8(2b) respectively.

“Rules” means the Rules of the Club for the time being in force.

“Secretary” means:- -

(a) the person holding office under these rules as Secretary of the Club; or

(b) where no such person holds that office - the Public Officer of the Club.

“special meeting” means a General Meeting of the Club other than an Annual General Meeting.

“junior player member” means a player member who is under the age of 16 years of age at the 1st of January of the playing year

“the Act” means the Association Incorporated Act, 1984.

“the Regulation” means the Association Incorporation Regulation 1985

“the incorporated body” means the unincorporated association known as the” Belmont Baseball Club”.

In these Rules:-

(a) a reference to a function includes a reference to a power, authority and duty; and

(b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

The provisions of the Interpretation Act, 1897, apply to and in respect of these rules in the same manner as those provisions would so apply if these Rules were an instrument made under the Act.

PART II Membership

2. Membership Qualifications.

A person is qualified to be a member of the Club if, but only if,

- (a) the person is a person referred to in Section 15(la),(b),(c) of the Act and has not ceased to be a member of the Club at any time after Incorporation of the Club under the Act: or
- (b) the person is a natural person who;
 - (i) has been nominated for membership of the Club as provided by Rule 3: and
 - (ii) has been approved for membership of the Club by the Committee of the Club.

3. Nomination for Membership.

- (1) A nomination of a person for membership of the Club -
 - (a) shall be made by a member of the Club in writing in such form as prescribed by the Committee; and
 - (b) shall be lodged with the Secretary of the Club.
- (2) As soon as practicable after receiving a nomination for membership, the Secretary shall refer the nomination to the Committee which shall determine whether to approve or reject the nomination
- (3) Where the Committee determines to approve a nomination for membership, the Secretary shall, as soon as practical after the determination, notify the nominee of that approval and request the nominee to pay, within a period of 28 days after receipt by the nominee of the notification, the sum payable under these rules as entrance fees and Annual Subscription for the nominee's type of Membership.
- (4) The Club President is also empowered to approve a membership at short notice in exceptional circumstances eg to sign up a marquee player.
- (5) The Secretary shall, on payment by the nominee of the amounts referred to in clause (3) within the period referred to in that clause, enter the nominee's name in the register of members and , upon the name being entered, the nominee becomes a member of the Club.

4. Cessation of Membership:

A person ceases to be a member of the Club if the person,

- (a) dies:
- (b) resigns that membership or
- (c) is expelled from the Club.
- (d) fails to pay annual membership fees as specified by the Committee

5. Membership Entitlements Not Transferable:

A right, privilege or obligation which a person has by reason of being a member of the Club,

- (a) is not capable of being transferred or transmitted to another person;
- (b) terminates upon cessation of the person's membership. -

6. Resignation of Membership

- (1) A member of the Club is not entitled to resign that membership except in accordance with this Rule.

(2) A member of the Club who has paid all amounts payable by the member to the Club in respect of the member's membership may resign from membership of the Club by first giving notice (being not less than the such period as the Committee may determine) in writing to the Secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.

(3) Where a member of the Club ceases to be a member pursuant to Clause (2) above, 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. Register of Members

(1) The Public Officer of the Club shall establish and maintain a register of the members of the Club, specifying the name address of each member of the Club together with the date on which the person became a member, and the date upon which the person was born.

(2) The register of members shall be kept at the principal place of administration of the Club and shall be open for inspection free of charge, by any member of the Club at any reasonable hour.

8. Fees, Subscriptions, etc:

(1) A member of the Club shall, upon admission to membership, pay to the Club a fee as specified by the Committee and reflected in the By-Laws

(2) In addition to any amount payable by the member under clause (1), a member of the Club shall pay to the Club annual registration fees as specified by the Committee and reflected in the By-Laws

9. Member's Liabilities:

The liability of the member of the Club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of winding up the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club as required in Rule 8.

10. Disciplining of Members

(1) Where the Committee is of the opinion that the members of the Club -

(a) has persistently refused or neglected to comply with a provision of these Rules or the By-Laws made under Rule 33; or

(b) has persistently or willfully acted in a manner prejudicial to the interest of the Club, the Committee may, by resolution

(c) expel the member from the club; or

(d) suspend the member from membership of the Club for a specified period.

(2) A resolution of the Committee under Clause (1) is of no effect unless the Committee, at a meeting held no earlier than 14 days and no later than 28 days after service on the member of a notice under Clause (3) confirms the resolution in accordance with this Rule.

(3) Where the Committee passes a resolution under Clause (1) the Secretary shall, as soon as practical, cause a notice in writing to be served on a member -

(a) setting out the resolution of the Committee and the grounds on which it was based;

- (b) stating that the member may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
- (c) stating the date, place and time of that meeting; and
- (d) informing the member that the member may do either or both of the following:
 - (i) attend and speak at the meeting
 - (ii) submit to the Committee at or prior to the date of that meeting written representation relating to the resolution.
- (4) At a meeting of the Committee held as referred to in Clause (3), the Committee shall -
 - (a) give to the member an opportunity to make oral representations;
 - (b) give due consideration to any written representation submitted to the Committee by the member at or prior to the meeting; and
 - (c) by resolution determine whether to confirm or revoke the resolution.
- (5) Where the committee confirms a resolution under Clause (4), the Secretary shall, within 7 days after the confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under Rule 11.
- (6) A resolution confirmed by the Committee under Clause (4) does not take effect
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within the period; or
 - (b) where within that period the member exercises the right of appeal, unless and until the Club confirms the resolution pursuant to Rule 11(4)

11. Right of Appeal of Disciplined Member

- (1) A member may appeal to the Club in an Annual or Special General Meeting against a resolution of the Committee which is confirmed under Rule 10(4), within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- (2) Upon receipt of a notice from a member under Clause (1), the Secretary shall notify the Committee which shall convene a General Meeting of the Club to be held within 21 days after the date on which the Secretary received the notice.
- (3) At a General Meeting of the Club convened under Clause (2) -
 - (a) no business other than the question of the appeal shall be transacted;
 - (b) the Committee and the member shall be given opportunity to state their respective cases orally or in writing, or both; and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (4) If at a General Meeting the Club passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

12. Patrons and Life Members

- (a) The Club may, in an Annual General Meeting by majority of two-thirds of those present and voting, confer on any person the title of Patron provided that the number of Patrons at any time shall not exceed five (5) in number.

- (b) The existing Life Members of the unincorporated body shall on the incorporation of the Club, become Life Members of the Club and entitled to have their names entered in the Register of Members.
- (c) The Club may in Annual General Meeting by special resolution confer on any person subject to his or her consent being had and obtained the title of Life Member for meritorious service rendered to the Club or to the incorporated body and upon such appointment his or her name shall be entered in the Register of Members.
- (d) The number of Life Members shall not be limited.
- (e) No person shall be elected a Life Member unless he or she shall first be nominated and commended, by a two thirds majority of the Committee, and the person has been a member of the Club for minimum of 10 years. Members may nominate a person for consideration by the Committee.
- (f) A Life Member shall be permitted to attend any General Meeting or Committee meeting of the Club and address such meeting, join in discussion and shall be entitled to vote. Life Members shall receive a Life Membership Badge or some form of significant acknowledgment of their Life Membership.
- (g) A Patron shall be permitted to attend any General Meeting of the Club and address such meeting, join in discussion and shall be entitled to vote.
- (h) The provision of Rules 4,5,6,10 and 11 shall apply to the Life Members. A Life Member of the class described in the provision in clause (f) shall not be required to pay the amount payable under Rule 8 (2).

13. Powers, etc., of the Committee:

The Committee shall be called the Committee of Management of the Club and, subject to the Act, the regulation and these rules and to any resolution passed by the Club in General Meeting.-

- (a) shall control and manage the affairs of the Club;
- (b) may exercise all functions as may be exercised by the Club other than those functions that are required by these rules to be exercised by a General Meeting of members of the club; and
- (c) may make such By-Laws not inconsistent with the Rules as in the opinion of the Committee are necessary or desirable for the proper control, administration and management of the Club's finances, affairs, interests, property and activities including, without limiting the generality thereof the specification of the powers, duties and responsibilities of elected positions, selection policies, practice, the use of Club grounds, gear and facilities and may amend the rescind from time to time any such By-Laws; and
- (d) has the power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of affairs of the Club.

14. Constitution and Membership

(1) Subject in the case of the first members of the Committee to Section 21 of the act, the Committee shall consist of -

- (a) the office bearers of the Club and
- (b) minimum of 5 maximum 7 ordinary members, (added at special meeting 10/3/94)

each of whom shall be elected at the Annual General Meeting of the Club pursuant to Rule 15, in which for the purposes of this clause a reference to the Annual General Meeting shall be deemed to be a reference to that Special General Meeting.

(2) The office bearers of the Club shall be -

- (a) the President
- (b) the Vice President
- (c) the Treasurer
- (d) the Secretary
- (e) the Assistant Secretary
- (f) the Assistant Treasurer. (added at special meeting 10/3/94)

(3) The Club Executive Committee shall comprise the President, Vice President, Secretary, and Treasurer.

(4) Each member of the Club Committee shall, subject to these Rules, hold office until the conclusion of the Annual General Meeting following the date of the Member's election, but is eligible for re-election.

(4) In the event of a casual vacancy occurring in the membership of the Committee or of an elected position, the Committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office or the elected position, subject to these Rules, until the conclusion of the Annual General Meeting next following the date of the appointment.

15. Election of Members

(1) The Committee shall appoint an independent Returning Officer for the election of all office bearers of the Club and ordinary members of the Committee.

(2) Nominations of candidates for elections as office bearers of the Club or as ordinary members of the Committee:

(a) shall be made in writing, signed by two members of the Club and accompanied by the written consent of the candidate:

and

(b) shall be delivered to the Returning Officer not less than 7 days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.

(3) The Returning Officer shall advise all Club members of the nominees for all office bearers and ordinary members of the Committee 7 days prior to the holding of the Annual General Meeting.

(4) If insufficient nominations are received to fill all vacancies on the Committee further nominations shall be invited and received at the Annual General Meeting.

(5) If insufficient further nominations are received, any vacant positions remaining on the Committee shall be deemed to be casual vacancies.

(6) Each nominee for office bearer positions or ordinary member of the Committee must be endorsed by a three quarter majority secret ballot vote by those eligible to vote at the Annual General Meeting.

(7) If the number of endorsed nominations received is equal to the number of vacancies to be filled, the persons nominated and endorsed shall be deemed to be elected.

(8) If the number of endorsed nominations received exceeds the number of vacancies to be filled, a secret ballot shall be held.

(9) The ballot for the election of the office bearers and ordinary members of the Committee shall be conducted by the Returning Officer at the Annual General Meeting using a preferential voting

system. In the event of tied vote the presiding officer for that part of the Annual General Meeting shall have a deciding casting vote.

16. Secretary

The Secretary of the Club shall :

- (1) as soon as practical after being appointed as Secretary, lodge notice with the Club of his or her address.
- (2) Inform all appropriate bodies of the appointments of Club office bearers
- (3) Perform the role Public Officer
- (4) Keep minutes of :
 - (a) All appointments of the office bearers and members of the Committee.
 - (b) The names of members of the Committee present at a Committee meeting or a General Meeting; and
 - (c) All proceedings at Committee meetings and General Meetings.
- (5) Ensure minutes of proceedings at a meeting, once confirmed, are signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- (6) Maintain an up to date register of Club members
- (7) Other duties as reflected in the Club's By-Laws

17. Treasurer

It is the duty of the Treasurer of the Club to ensure that-

- (a) All money due to the Club is collected / received, and that all payments made as close as practicable to the creditors terms of trade;
- (b) Correct books of accounts are kept showing the financial affairs of the Club including full details of all receipts and expenditure connected with the activities of the Club.
- (c) Other duties as reflected in the Club's By-Laws

18. Casual Vacancies

For the purpose of these Rules a casual vacancy in the office of a member of the Committee or in an elected position occurs if the member or the person-

- (a) Dies;
- (b) Ceases to be a member of the Club;
- (c) Becomes insolvent under administration within the meaning of the Companies (New South Wales) Code;
- (d) Resigns office or the elected position by notice in writing given to the Secretary;
- (e) Is removed from office under Rule 19 or is removed from the elected position by the Committee;
- (f) Becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to the mental health; or

(g) Is absent without the consent of the Committee from 3 consecutive meetings of the Committee or in the case of the holder of an elected position fails to perform the duties of the position to the reasonable satisfaction of the Committee.

19. Removal of a Member

(1) The Club, in General Meeting, may by resolution remove any member of the Committee from the office of member before the expiration of the member's term of office, and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

(2) Where a member of the Committee to whom a proposed resolution referred to in Clause (1) relates, makes representations in writing to the Secretary or the President (not exceeding a reasonable length) and requests that the representations be read out to each member of the Club or, if they are not sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

20. Meetings and Quorum

(1) The Committee shall meet on at least a monthly basis in the lead up to and during the course of the playing season, and as the Committee deems appropriate at other times.

(2) Additional meetings of the Committee may be convened by the President or the Secretary or 3 members of the Committee.

(3) Oral or written notice of a meeting of the Committee at least 48 hrs (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting PROVIDED the operation of this rule shall be suspended if a schedule of meetings for the ensuing Baseball season is prepared by the Secretary and distributed to each member of the Committee by the start of the NBA Grade Competition of that season.

(4) Any five (5) members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

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

(6) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.

(7) At a meeting of the Committee;

(a) the President or, in the President's absence the Vice President, shall preside, or

(b) if the President and the Vice-President are absent or unwilling to act such one of the remaining members of the Committee as may be chosen by the members present at the meeting shall preside.

21. Delegation by Committee to Sub-Committee

(1) The Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such members of the Committee or other members of the Club as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than-

(a) This power of delegation; and

(b) A function which is a duty imposed on the Committee by the Act or by any other law.

- (2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof; or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Notwithstanding any delegation under this rule, the Committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this Rule has the same force and effect as it would have if it had been done or suffered by the Committee.
- (6) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this Rule.
- (7) A quorum for a meeting of a sub-committee shall be half of its members plus one.
- (8) A sub-committee may meet and adjourn as it thinks proper.

22. Voting and Decisions

- (1) Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined by a majority of the votes of the members of the Committee or sub-Committee present at the meeting.
- (2) Each member present at the meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of any equality of votes on any question, the person presiding may exercise a second casting vote.
- (3) Any act of thing done or suffered, or purporting to have been done or suffered, by the Committee or by a Sub-committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualifications of a member of the Committee or sub-committee.

23. Annual General Meetings, holding of:

- (1) With the exception of the first Annual General Meeting of the Club, the Club shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Club, convene an Annual General Meeting of its members.
- (2) The Club shall hold its first Annual General Meeting-
 - (a) within the period of 18 months after its incorporation under the Act; and
 - (b) within the period of 2 months after the expiration of the first financial year of the Club.
- (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the commission under section 26 (3) of the Act.

24. Annual General Meetings, calling of and business at

- (1) The Annual General Meeting of the Club shall, subject to the Act and to Rule 23, be convened on such a date and such a place and time as the Committee thinks fit.
- (2) In addition to any other business which may be transacted at an Annual General Meeting shall be-
 - (a) To confirm the minutes of the last preceding Annual General Meeting and of any Special General Meetings held since that meeting;

- (b) To receive from the Committee reports upon the activities of the Club during the last preceding financial year.
- (c) To elect office-bearers of the Club and ordinary members of the Committee; and
- (d) To elect:
 - (i) Patrons (if any) -
 - (ii) Life Members (if any)
 - (iii) The Auditors
- (e) To receive and consider the statement which is required to be submitted to the members pursuant to section 26 (6) of the Act.

(3) An Annual General Meeting shall be specified as such in the notice convening it.

25. Special General Meeting, calling of:

- (1) The Committee may, whenever it thinks fit, convene a Special General Meeting of the Club.
- (2) The Committee shall, on the requisition in writing of not less than 5 percent of the total number of members, convene a Special General Meeting of the Club.
- (3) A requisition of members for a Special General Meeting-
 - (a) shall state the purpose for a Special General Meeting
 - (b) shall be signed by the members making the resolution
 - (c) shall be lodged with the Secretary; and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the resolution.
- (4) If the Committee fails to convene a Special General Meeting to be held within one month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a Special General Meeting to be held no later than 3 months after that date.
- (5) A Special General Meeting convened by a member or members as referred to in Clause (4) shall be convened as nearly as is practicable in the same manner as General Meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Club for any expense so incurred.

26. Notice

- (1) The Secretary shall, at least 21 days before the date fixed for the holding of the Annual General Meeting, or Special General Meeting, cause to be served on each member by either method described in Rule 41(1), a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting. In the case of the Annual General Meeting, this notice shall also call for nominations for office bearers and ordinary members of the Committee.
- (2) Where the nature of the business proposed to be dealt with at either the Annual General Meeting, or Special General Meeting, requires a special resolution of the Club, the Secretary shall also cause notice to be served on each member in the manner required in Clause (1), the intention to propose the resolution as a Special Resolution.
- (3) No business other than that specified in the notice convening an Annual General Meeting, or Special General Meeting, shall be transacted at the meeting except, in the case of an Annual General Meeting, business which may be transacted pursuant to Rule 24(2).

(4) A member desiring to bring any business before an Annual General Meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling an Annual General Meeting given after receipt of the notice from the member.

(5) The Secretary shall give further notice of the Annual General Meeting not less than 7 days before the date fixed for the holding of the Annual General Meeting. This further notice shall include the meeting agenda and list of nominees for office bearers of the Club and ordinary members of the Committee.

27. Procedure

(1) No item of business shall be transacted at an Annual General Meeting or Special General Meeting unless a quorum of members entitled under these Rules to vote is present during the time the meeting is considering that item.

(2) Fifteen (15) members present in person (being members entitled under these Rules to vote at an Annual or Special General Meeting) constitute a quorum for the transacting of the business of the General Meeting.

(3) If within half an hour after the appointed time for the commencement of an Annual or Special General Meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

(4) If at the adjourned a quorum is not present within half an hour after the time appointed for the commencement of the meeting the members present (being not less than 8) shall constitute a quorum.

28. Presiding Member

(1) The President or, in the President's absence, the Vice-president, shall preside as chairperson at each Annual or Special General Meeting of the Club.

(2) If the President and the Vice President are absent from an Annual or Special General Meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

29. Adjournment

(1) The chairperson of an Annual or Special General Meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(2) Where an Annual or Special General Meeting is adjourned for 14 days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting. Except as provided in Clauses (1) and (2), notice of an adjournment of an Annual or Special General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

30. Making of Decisions

(1) Decisions on the endorsement and election of office bearers and ordinary members of the Committee shall be in accordance with Clause 15.

- (2) A question arising at an Annual or Special General Meeting of the Club shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Club is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (3) At an Annual or Special General Meeting of the Club, a poll may be demanded by the chairperson or by not less than 3 members present in person at the meeting.
- (4) Where a poll is demanded at an Annual or Special General Meeting the poll shall be taken:
- (a) Immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
 - (b) In any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be resolution of the meeting on the matter.

31. Special Resolution

A resolution of the Club is a special resolution if:

- (a) It is passed by a majority which comprises not less than three-quarters of such members of the Club as being entitled under these rules to do so, vote in person at a General Meeting of which not less than 21 days written notice specifying the intention to propose the resolution was given in accordance with these Rules; or
- (b) Where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in Paragraph (a) the resolution is passed in a manner specified by the Commission.

32. Voting

- (1) Upon any question arising at an Annual or Special General Meeting of the Club a member has one vote only.
- (2) All votes shall be given personally.
- (3) A member is not entitled to vote at an Annual or Special General Meeting of the Club unless all money due and payable by the member to the Club has been paid

33. By-Laws

The By-Laws made by the Committee pursuant to Rule 13(c) shall have the same force and effect as these Rules have on the virtue of the Act.

PROVIDED THAT a By-Law is of no effect if it is inconsistent with the Act or these Rules (Constitution) or contrary to law.

34. Insurance

- (1) The Club shall effect and maintain insurance pursuant to Section 44 of the Act.
- (2) In addition to the insurance under Clause (1), the Club may effect the maintain other insurance.

35. Funds - Source

- (1) The funds of the Club shall be derived from entrance fees and Annual Subscriptions of members, donations and, subject to any resolution passed by the Club in General Meeting, such other sources as the Committee determines.
- (2) All money received by the Club shall be deposited as soon as practical and without deduction to the credit of the Club's bank account.
- (3) The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt.

36. Funds - Management

- (1) Subject to any resolution passed by the Club in General Meeting, the funds of the Club shall be used in pursuance of the objects of the Club in such manner as the Committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by 2 members of the Committee, being members authorised to do so by the Committee.

37. Alteration of Objects and Rules

The Statement of Objects and these Rules may be altered, rescinded or added to only by a special resolution of the Club.

38. Common Seal

- (1) The Common Seal of the Club shall be kept in the custody of the Public Officer.
- (2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee and affixing the common seal shall be attested by the signatures either of 2 members of the Committee or of one member of the Committee and of the Public Officer or Secretary.

39. Custody of Books, etc.

Except as otherwise provided by these Rules, the Public Officer shall keep in his or her custody, or under his or her control, all records, books and other documents relating to the Club.

40. The Inspection of Books, etc.

The records, books and other documents of the Club shall be open to inspection, free of charge, by any member of the Club at any reasonable hour, after giving reasonable notice.

41. Service of Notices

- (1) For the purpose of these Rules, a notice may be served by or on behalf of the Club upon any member either personally or by sending by the method nominated by the member at time of registration and shown for the member in the register of members.
- (2) Where a document is sent to a person in accordance with the members nominated method the document shall, unless the contrary is proved, be deemed for the purpose of these Rules to have been served on the person at the time which the communication would have been delivered in the ordinary course of events.

42. Surplus Property

(1) At the first General Meeting of the Club, the Club shall pass a Special Resolution nominating an Association as the association in which is to invest its surplus property pursuant to Section 53(2) of the Act in the event of the winding up or the cancellation of the incorporation of the Club.

(2) The Association so nominated shall be one which fulfils the requirements specified in Section 53(2) (a-c) of the Act.

BY-LAWS

1. Name

The name of the Club shall be “BELMONT BASEBALL CLUB” and it will play under the jurisdiction of the Newcastle Baseball Association Inc.

2. Object

The object of the Club shall be the promotion, management and fostering of the game of baseball in the district.

3. Headquarters

The headquarters of the Club shall be in Belmont, where its meetings shall be held.

4. Colours

The colours of the Club shall be blue and gold. The monogram shall be the words “Belmont Baseball Club”. All members shall adhere to the official Club monogram, a copy of which will be available from the Secretary, and is appended

5. Office Bearers

The officials of the Club shall consist of:

- a) Patron(s)
- b) President
- c) Senior Vice President
- d) Honorary Secretary
- e) Hon Assistant Secretary
- f) Honorary Treasurer
- g) Honorary Auditors
- h) Selection Committee
- i) N.B.A. Management Committee Nominee
- j) Sportsman’s Club Nominees (2)
- k) Publicity Officer
- l) Gear Steward/s
- m) Coaches
- n) Club Statistician
- o) Club Registrar
- p) Public Officer (Secretary)
- q) Historian

6. Annual Meetings

The Annual Meeting shall be held during the month of December or earlier if thought necessary by the retiring Committee.

Business.

- (a) Reading and confirmation of the minutes of the previous meeting.

- (b) Correspondence.
- (c) Annual Reports and Balance Sheet
- (d) Election of Officers as per Rule 5 (a-s)

7. Duties of the Secretary

The Honorary Secretary shall keep the books and papers of the Club in a uniform manner and shall produce the same when declared by the Club to do so.

- (a) He /she, or the Assistant Secretary, shall attend all meetings of the Club and of the Committee, and he/she, or his/her deputy, shall record the minutes.
- (b) Hand to the Chairman at all meetings an Agenda paper for his guidance.
- (c) Conduct the correspondence of the Club, keep a record of all letters written by him/her, and submit all correspondence to the members of the Committee.
- (d) Deliver all monies received by him/her to the Treasurer of the Club without delay.
- (e) Prepare the Annual Report, including the Treasurer's Financial Report and Balance sheet of the Club, giving therein a full report of the Club's progress, and the same shall be printed and issued by him/her.
- (f) Perform the general clerical work of the Club and carry out all of the directions given to him/her by the Committee.
- (g) Have charge of the property of the Club.
- (h) Other duties as required by the Committee

8. Duties of the Treasurer

- (a) He/she shall receive all monies on the behalf of the Club and deposit the same to the credit of the Club in an approved bank, and at the election of a successor, he shall hand into the Club all funds and property held by him/her within seven (7) days.
- (b) Present a financial statement of the Club at each Committee meeting and General Meeting.
- (c) Disburse money of the Club with the sanction of the general Committee, and as close as practicable to each creditors terms of trade.
- (d) Keep account of receipts and disbursement in a book which shall be open to the inspection of the Committee at any time, and for inspection of all members at a General Meeting.
- (e) Submit his accounts for audit to auditors, appointed by the Club, at least fourteen (14) days prior to the date fixed for the Annual Meeting.
- (f) Present the Annual Statement of Receipts and Expenditure and Balance Sheet, showing the Assets and Liabilities of the Club.
- (g) Other duties as required by the Committee

9. Auditors

The two (2) auditors shall examine the books, vouchers, accounts and securities of the Club. They shall examine the Annual Balance sheet and statements prepared by the Treasurer, and, if found correct, shall affix their signatures. They shall have full access to all books of the Club and shall be given every assistance by the Secretary and Treasurer.

10. Funds of the Club

- (a) The funds of the Club shall be placed in such bank as the Management Committee shall direct, in the name of Belmont Baseball Club.
- (b) Such account/s to be operated upon by two (2) signatures of the President, Honorary Secretary and Treasurer of the Club.
- (c) All disbursements must as far as possible be made by cheque or as otherwise approved by the Committee
- (d) Every account must be endorsed by the Management Committee.
- (e) A numbered receipt must be issued for every amount received.
- (f) A Petty Cash Account of \$20 maximum shall be allowed the Honorary Secretary for which he shall keep a record.

11. Selection Panel

- (1) Unless otherwise approved by the President a selection panel is to comprise of;
 - (a) The president as chairman of all grades selections; the Club Coach, Coaches of 1st, 2nd, 3rd Grades for the Selection of 1st and 2nd Grades.
 - (b) Coaches of 1st, 2nd, 3rd and 4th Grades to select 3rd Grade.
 - (c) Coaches of 3rd, 4th and 5th to Select 4th Grade.
 - (d) Coaches of 4th, 5th and 6th to Select 5th and 6th Grades.
 - (e) Where the chairman is also a Grade Coach then he possesses only one vote, unless a tie occurs; whereby under the constitution a casting vote may be used.
 - (f) Where the Club Coach also holds the position of a Grade Coach, then he will only be allowed one vote in the selection of players.
 - (g) Each Grade Coach shall possess the right to one vote.
- (2) The Selectors may alter the personnel at any time, except on the field of play, where the respective coaches shall have control of the teams.
- (3) The Management Committee may intervene in any action of the selectors in the interest of Baseball and the club.
- (4) The selectors shall inform the Club Secretary of the names of the players no later than Wednesday evening prior to the matches concerned.
- (5) Players shall be under the control of the person or persons appointed by the Management Committee in regard to practice, tours, etc.
- (6) The teams shall practice at a time appointed by the Management Committee. Each team to be provided with competent practice facilities.

12. Clearances

In the event of any player applying for a clearance, to play with another Club, it will be approved pending the return of uniform or other Club property and the payment of all monies owing to the Club.

13 Fee and Subscriptions

(1) A member of the Club shall, upon admission to membership, pay to the Club

(a) in the case of an Associate Member \$2.00

(b) in the case of a Player Member \$2.00

or, where some other respective amount is determined by the Committee, of that amount.

(2) In addition to any amount payable by the member under clause (1), a member of the Club shall pay to the Club an annual registration fee – Which will be determined by the committee each year.

(3) All payments are to be made to the Club before a player member (Junior or Senior) is registered with the governing Baseball Association.

(4) No player shall be allowed to take the field until the player is firstly registered with the governing Baseball Association.

(5) In the event of a player being unable to meet the requirements of Clause 2, special cases of hardship may be directed to the Club Registrar who will, on receipt of at least half the specified registration fee for the player concerned, refer the matter to the Club Executive for consideration and decision.

14. Change of Address

Players must notify the Secretary within 14 days of any change to their residential address, address for service of notices, and telephone number/s.

15. Interpretation of the By-Laws

The Club's elected Committee will be the sole interpreter of all By-Laws of the Club. All disputes with regard to the same shall be referred to the Committee.

16. Junior League

(a) The Club's Committee shall appoint up to two (2) officers to administer and represent the Club in Junior League.

(b) These two (2) officers shall speak for the Junior League at all General and Committee meetings.

APPENDIX I

(Rule 3.1)

(Incorporated under the Associations Incorporation Act, 1984.)

I, _____

Full Name of Applicant

of _____ Postcode _____

Address of Applicant

Occupation

hereby apply to become a member of the above named incorporation association. In the event of my admission as a member, I agree to be bound by the rules of the Association for the time being in force.

Signature of Applicant

Date

I, _____

Full Name

a member of the Association, nominated the applicant, who is personally known to me, for membership of the Association

Signature of Proposer

Date

I, _____

Full Name

a member of the Association, second the nomination of the applicant, who is personally known to me, for membership of the Association

Signature of Seconder

Date

Belmont Baseball Club Logo



Criteria for Annual Awards

John Graham Memorial

Most outstanding Defensive Player

This award is to be presented to the player whose defensive play throughout the season is of an outstanding and consistent level.

At the conclusion of the regular season, the head coaches of the top three grades are to meet with the club President, or a chosen representative, and come up with a recommendation for the award. In the case where the coaches come up with more than one recommendation, the Club President will exercise a casting vote to determine a winner.

Rookie of the year

To qualify for the rookie of the year a player must fall into at least one of the following categories:

- a) Playing his or her first year of baseball.
- b) Playing his or her first year in senior baseball, and has not played more than six senior games prior to the current season.
- c) Playing his or her first year in major league (1st, 2nd and 3rd grade), and has not played more than a six major league games prior to the current season.

Each category is of equal weighting.

The winner will be decided by Team coaches and the President who will also exercise a casting vote if necessary.

Daryl Harvey Memorial Award

Clubman of the Year

The clubman of the year is to be awarded to the person whom, through his or her efforts throughout the year, the club has received the greatest benefit.

The winner will be decided by the Club Committee with the President exercising a casting vote if necessary.

Sportsman of the Year

Williams/Bradley Medal

This award will go to a player who achieves the highest senior representative honour during the past season. In a case where two or more players have achieved equal representative honours, the player who achieved the most outstanding performances at a club level will be determined the winner.

The winner will be decided by the Club Committee with the President exercising a casting vote if necessary.

Don Lennox Batting Trophy

$$[\text{TOTAL BASES} + \text{RBIs} + \text{SAC BUNTS} + \text{SAC FLIES} + \text{BB} + \text{HPB} - (\text{K2} + \text{KC})] / \text{PA} =$$

The winner will be determined by statistics from all games across all grades.

Peter Tan Achievement Award

$$\text{R} + \text{TOTAL BASES} + \text{RBIs} + \text{SAC BUNTS} + \text{SAC FLIES} + \text{BB} + \text{HPB} + (\text{Ks} \times -2) + (\text{SB} - \text{CS}) + (\text{PO} + \text{A}) + (\text{E} \times -2) + \text{IP} + (\text{H} \times -1) + (\text{SO} \times 3) + (\text{BB} \times -2) =$$

The winner will be determined by statistics from all games across all grades.

Junior Sportsman of the Year

This award will go to a junior player who achieves the highest representative honour during the past season. In a case where two or more players have achieved equal representative honours, the player who achieved the most outstanding performances at a club level will be determined the winner.

The winner will be decided by Junior Team coaches and the President who will also exercise a casting vote if necessary

Junior Rookie of the Year

To be awarded to the best performing first year junior player.

The winner will be decided by Junior Team coaches and the President who will also exercise a casting vote if necessary