



The Constitution of: St George Junior Baseball Club Inc.

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Document Approval

This document has been endorsed and approved for use by:

**St George Junior Baseball Club Inc members present at the special general meeting held
ON this 27th Day of November 2013**

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Part I – PRELIMINARY

1. Objectives

The St. George Junior Baseball Club Inc. has been established for the benefit of its players, so that they might: -

- enjoy their sport;
- learn skills so as to achieve their personal best; and
- promote the games of baseball and/or softball in a positive manner.

The colours of the club will be red and white.

2. DEFINITIONS

2.1 In this Constitution, except insofar as the context of subject matter otherwise indicates or requires:

“annual general meeting” means a meeting of the members according to clauses 25 and 26.

“auditor” means a person appointed whose role is to examine and comment on the annual statement of financial affairs. This person must hold the necessary professional accounting qualifications and not be related to the treasurer.

“club” in this Constitution means St. George Junior Baseball Club Inc.

“committee” means the committee of management of the club.

“committee meeting” means a meeting of the committee of the club according to clause 22.

“committee member” means a member of the committee of management who is not an executive member of the club.

“executive meeting” means a meeting of the office bearers of the club according to clause 22.9.

“executive member” means a member elected as an office bearer of the club.

“financial” means registration, membership fees or other due monies are paid to date and not overdue.

“financial year” means the year ending on 31 December and thereafter, the period of 12 (twelve) months commencing on 1 January and ending on 31 December each year.

“life member” means any person who has been admitted to life membership of the club in accordance with clause 14.

“members” means life members of the club, registered and financial players over the age of 18 (eighteen), parents of registered and financial players who are under the age of 18 (eighteen), and people who have met nomination for membership as prescribed in clause 4.

“office bearer” means the persons holding office under the rules of the club as president, vice-president, secretary and treasurer. The treasurer will also be the public officer of the club.

“public officer” means the person appointed to be the public officer of the club in accordance with The Act.

“special general meeting” means a meeting of the members according to clause 27.

“The Act” means the Associations Incorporations Act 2009.

“The Regulation” means the Associations Incorporation Regulation 2010.

2.2 In this Constitution:

- 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, if the function is a duty, a reference to the performance of the duty.

2.3 The provisions of the Interpretation Act 1987, apply to and in respect of this Constitution in the same manner as those provisions would so apply if this Constitution were an instrument made under The Act.

Part II – MEMBERSHIP

3. MEMBERSHIP QUALIFICATIONS

- 3.1 A person is qualified to be a member of the club if, but only if, the person was one of the individuals on whose behalf an application for registration of the club under section 6 (1) (a) of The Act was made
- a) and the person has not ceased to be a member of the club at any time after the incorporation of the club under The Act; or
 - b) the person is a natural person:
 - (1) who has been nominated for the membership of the club as provided by clause 4; and
 - (2) who has been approved for membership of the club by the committee of the club as prescribed in clause 4.

4. NOMINATION FOR MEMBERSHIP

- 4.1 A nomination of a person for membership of the club:
- a) must be completed by the nominee and endorsed by a member of the club on the form set out in Appendix 1; and
 - b) must be lodged with the secretary of the club.
- 4.2 As soon as practical after receiving a nomination for membership, the secretary must refer the nomination to the committee which is to determine whether to approve or reject the nomination.
- 4.3 As soon as practical after the committee makes that determination, the secretary must:
- a) notify the nominee, in writing, that the committee approved or rejected the nomination (whichever is applicable); and
 - b) if the committee approved the nomination, request the nominee to pay (within the period of 28 (twenty-eight) days after receipt by the nominee of the notification) the sum payable under these rules by a member as a membership fee and annually thereafter, membership renewal fees as prescribed in clause 9.
- 4.4 The secretary must, on payment by the nominee of the amounts referred to in that clause, enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the club.
- 4.5 On approval for membership, the original application for membership form will remain effective for as long as the member remains financial.

5. CESSATION OF MEMBERSHIP

- 5.1 A person ceases to be a member of the club, and is ineligible to vote at any meeting of the club, if the person:
- a) dies; or
 - b) resigns membership; or
 - c) is expelled by the club; or
 - d) has any unpaid or overdue registration fees from previous seasons; or
 - e) fails to pay fees as provided by clause 9 within 3 (three) months of the fee being due.

6. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

- 6.1 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, except as outlined in clause 34; and
 - b) terminates on cessation of the person's membership.

7. RESIGNATION OF MEMBERSHIP

- 7.1 A member of the club is not entitled to resign that membership except in the following circumstances:
- a) a member of the club who has paid all amounts payable by a member of the club in respect of membership may resign from membership of the club by first giving to the secretary written notice of at least one month (or other such period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
 - b) if a member of the club ceases to be a member under clause 7.1 (a) and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

8. REGISTER OF MEMBERS

- 8.1 The secretary of the club must establish and maintain a register of members of the club specifying the name and postal or residential address of each person who is a member of the club together with the date on which the person became a member.
- 8.2 The register of members must be kept in New South Wales at the principal place of administration of the club and must be open for inspection, free of charge, by any member of the club at any reasonable hour, but by appointment only.
- 8.3 A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
- a) the purposes of sending the person a newsletter, a notice in respect of a meeting, other material relating to the club, or other event relating to the club; or
 - b) any other purpose necessary to comply with a requirement of The Act or The Regulation.

9. FEES AND SUBSCRIPTIONS

- 9.1 A member of the club must, on admission to membership, pay to the club a membership fee of \$5.00 (five dollars) or, if some other amount is determined by the committee, that other amount.
- 9.2 Thereafter, an annual membership renewal fee of \$5.00 (five dollars), or if some other amount is determined by the committee, that other amount, must be paid after 1 January and prior to the annual general meeting each year to maintain financial status as a member for that calendar year.

10. MEMBER'S LIABILITIES

- 10.1 The liability of a member of the club to contribute toward the payment of the debts and liabilities of the club or the costs, charges and expenses of the winding up of the club is limited to the amount, if any, unpaid by the member in respect of membership of the club as required by clause 9.

11. RESOLUTION OF INTERNAL DISPUTES

- 11.1 Any disputes between members (in their capacity as members) of the club, and disputes between members and the club which are unable to be resolved within 60 (sixty) days, are to be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act 1983.
- 11.2 At least 7 (seven) days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.
- 11.3 If a dispute is not resolved by mediation within 3 (three) months of the referral to a community justice centre, the dispute is to be referred to arbitration.
- 11.4 The Commercial Arbitration Act 1984 applies to any such dispute referred to arbitration.

12. DISCIPLINING OF MEMBERS

- 12.1 A complaint may be made to the committee by any person, that a member of the club:
- has persistently refused or neglected to comply with a provision or provisions of this Constitution; or
 - has persistently and wilfully acted in a manner prejudicial to the interests of the club.
- 12.2 On receiving such a complaint in writing, the executive members of the committee:
- must cause notice of the complaint to be served on the member concerned; and
 - must give the member at least 14 (fourteen) days from the time the notice is served within which to make submissions to the committee in connection with the complaint; and
 - must take into consideration any submissions made by the member in connection with the complaint.
- 12.3 The executive members of the committee may, by resolution, expel the member from the club or suspend the member from membership of the club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- 12.4 If the executive members of the committee expel or suspend a member, the secretary must, within 7 (seven) days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the executive members of the committee for having taken that action and of the member's right of appeal under clause 13.
- 12.5 The expulsion or suspension does not take effect:
- until the expiration of the period within which the member is entitled to appeal against the resolution; or
 - if within that period the member exercises the right of appeal, or until the club confirms the resolution under clause 13.4, whichever is the later.

13. RIGHT OF APPEAL OF DISCIPLINED MEMBER

- 13.1 A member may appeal to the club in writing against a resolution of the executive members of the committee under clause 12 within 7 (seven) days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- 13.2 The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- 13.3 Upon receipt of a notice from a member under clause 13.1, the secretary shall notify the committee, which shall convene a special general meeting of the club to be held within 28 (twenty-eight) days after the date on which the secretary received the notice.
- 13.4 At a special general meeting of the club convened under clause 13
- no business other than the question of the appeal shall be transacted;
 - the committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
 - the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- 13.5 The appeal is to be determined by a simple majority of votes cast by members of the club.

14. LIFE MEMBERSHIP

- 14.1 A life member is a natural person who:
- has been nominated for life membership as provided by this clause; and
 - has been approved for life membership of the club by the committee of the club in accordance with clause 14.2 (b).
- 14.2 A person is qualified to be a life member of the club if, but only if:
- the nomination for life member is presented to the club secretary by 2 (two) current members in writing 28 (twenty-eight) days prior to the annual general meeting; and

- b) the nomination is first recommended by the committee and following such recommendation is then conferred by a 75% (seventy-five percent) majority of the members present at the annual general meeting; and
- c) any such member so nominated shall have had not less than 10 (ten) years service with the club, including a minimum of five years committee service, and shall have rendered distinguished service to the club over that period as well as assisted in the advancement of the club's objectives.
- 14.3 A life member shall be entitled to all privileges including entitlement to vote as a member of the club without paying the annual subscription or any special payment for such life membership.
- 14.4 Any playing life member shall be entitled to a 25% (twenty-five percent) reduction in registration fees per season as an acknowledgement of his/her services to the club.

Part III – THE COMMITTEE AND COMMITTEE MEETINGS

15. POWERS OF THE COMMITTEE

- 15.1 Subject to The Act, The Regulation and this Constitution and to any resolution passed by the club in any meeting the club:
- is to control and manage the affairs of the club; and
 - may exercise all such functions as may be exercised by the club, other than those functions that are required by these rules to be exercised by an annual or special general meeting of the members of the club; and
 - 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 the affairs of the club.

16. COMPOSITION AND MEMBERSHIP OF THE COMMITTEE

- 16.1 The committee is to consist of:
- the office bearers of the club; and
 - the committee members of the club,
- each of whom is to be elected at the annual general meeting of the club under clause 17.
- 16.2 The office bearers of the club are to be:
- the president;
 - the vice-president;
 - the secretary;
 - the treasurer.
- 16.3 A committee member may hold up to 2 (two) positions on the committee, only one of which can be an office bearer position.
- 16.4 Each member of the committee is subject to these rules and will assume office at the completion of the summer baseball season and hold office for a period of 12 (twelve) months, but is eligible for re-election.
- 16.5 In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the club to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the next annual general meeting following the date of the appointment.

17. ELECTION OF COMMITTEE MEMBERS

- 17.1 Nominations of candidates for election as office bearers of the club or as committee members will be accepted as a verbal nomination at the annual general meeting by 2 (two) members of the club on the proviso that the nominee accepts the nomination.
- 17.2 If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are to be taken to be elected and further nominations are to be received at a committee meeting.
- 17.3 If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- 17.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- 17.5 If the number of nominations received exceeds the number of vacancies to be filled, a secret ballot is to be held.
- 17.6 The ballot for the election of office bearers and members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- 17.7 A person nominated as a candidate for election as an office bearer or as a committee member of the club must be a financial member of the club.

18. SECRETARY

- 18.1 The secretary of the club must, as soon as practicable after being appointed as secretary, notify the club of any change to the address for correspondence.
- 18.2 It is the duty of the secretary to keep minutes of:
- all appointments of office bearers and members of the committee;
 - the names of members and the committee present at all meetings of the club; and
 - all proceedings at any meetings of the club.
- 18.3 Minutes of proceedings at a meeting must be accepted by 2 (two) members who were present at said meeting and must be signed by the chairperson of the meeting or the chairperson of the next succeeding meeting.
- 18.4 The secretary must maintain a register of membership.

19. TREASURER

- 19.1 It is the duty of the treasurer of the club to ensure:
- that all money due to the club is collected and received and that all payments authorised by the club are made;
 - that correct books and 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;
 - that the annual statement of financial affairs is to be prepared as at 31 December of each year; and
 - that the annual statement of the financial affairs of the club is audited by the appointed auditor prior to the annual general meeting.
- 19.2 The treasurer will also be the public officer of the club.

20. CASUAL VACANCIES

- 20.1 In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the club, subject to his/her acceptance, to fill the vacancy and the member so appointed is to hold office, subject to this Constitution, until the conclusion of the next annual general meeting following the date of appointment.
- 20.2 A casual vacancy in the office of a member of the committee occurs if a member:
- dies; or
 - ceases to be a member of the club; or
 - becomes an insolvent under administration within the meaning of the Corporation Act 2001 of the Commonwealth; or
 - resigns office by notice in writing given to the secretary; or
 - is removed from office under clause 21; or
 - becomes a mentally incapacitated person; or
 - is absent without the consent of the committee for all committee meetings held during a period of 6 (six) months; or
 - is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 (three) months; or
 - is prohibited from being a director of a company under part 2D.6 (disqualification from managing corporations) of the Corporations Act 2001 of the Commonwealth.

21. REMOVAL OF A COMMITTEE MEMBER

- 21.1 The club may, by resolution, remove any member of the committee 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.

21.2 If a member of the committee to whom a proposed resolution referred to in clause 21.1, makes representation in writing to the secretary or president (not exceeding a reasonable length) and requests that the representation be notified to the members of the club, the secretary or president may send a copy of the representation to each member of the club or, if the representation is not sent, the member is entitled to require that the representation be read out at the meeting at which the resolution is considered.

22. COMMITTEE MEETINGS AND QUORUM

22.1 A committee meeting must be held at least 4 (four) times in each period of 12 (twelve) months at such place and time as the committee may determine.

22.2 Additional committee meetings may be convened by the president or by any other member of the committee.

22.3 Oral or written notice of a committee meeting must be given by the secretary to each member of the committee at least 48 (forty-eight) hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.

22.4 Notice of a committee meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting except business which the committee members present at the meeting unanimously agree to treat as urgent business.

22.5 A quorum shall consist of 50% (fifty percent) of the number of people comprising the committee for the transaction of the business at a committee meeting.

22.6 No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting a quorum is not present, the meeting is to stand adjourned to a time and place to be agreed as per clause 22.3.

22.7 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, then 25% (twenty-five percent) of the number of members comprising the committee constitutes a quorum.

22.8 At a committee meeting:

- a) the president, or in the president's absence, the vice-president is to 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 is to preside.

22.9 In extraordinary circumstances, where a decision on a matter affecting or involving the club is required within a time frame that does not allow the secretary time to call a committee meeting in accordance with clause 22.3, the office bearers of the club may call an executive meeting. Any such meeting shall be subject to:

- a) a quorum comprising a minimum of 3 (three) of the executive members being present in person; and
- b) 75% (seventy-five percent) of the members present being in favour of any decision taken; and
- c) any decision taken being reported at the next available committee meeting and the outcome recorded in the minutes of the meeting.

23. DELEGATION BY COMMITTEE TO SUB-COMMITTEE

23.1 The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the club as the committee thinks fit) the exercise of such 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.

23.2 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.

- 23.3 A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- 23.4 Despite any delegation under this rule, the committee may continue to exercise any function delegated.
- 23.5 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.
- 23.6 The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- 23.7 A sub-committee may meet and adjourn as it thinks proper. It shall keep appropriate minutes to be provided to the committee.

24. VOTING AND DECISIONS

- 24.1 Questions arising at a committee meeting or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- 24.2 Each member present at a committee meeting 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 an equality of votes on any questions, the person presiding may exercise a second or casting vote.
- 24.3 Subject to clause 22.5 the committee may act despite any vacancy on the committee.
- 24.4 Any act or thing done or suffered, or purporting to have been done or suffered, by the members of the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee.

Part IV – ANNUAL AND SPECIAL GENERAL MEETINGS

25. ANNUAL GENERAL MEETINGS – HOLDING OF

- 25.1 With the exception of the first annual general meeting of the club, the club must, at least once in each calendar year and within the period of 6 (six) months after the expiration of each financial year of the club, convene an annual general meeting of its members.
- 25.2 The club must hold its first annual general meeting:
- within the period of 18 (eighteen) months after its incorporation under The Act; and
 - within the period of 6 (six) months after the expiration of the first financial year of the club.
- 25.3 Clauses 25.1 and 25.2 have effect subject to such later time as may be allowed by the Director-General or prescribed by The Regulation.

26. ANNUAL GENERAL MEETING – CALLING OF AND BUSINESS AT

- 26.1 The annual general meeting of the club is subject to The Act and to clause 25, to be convened on such date and at such place and time as the committee thinks fit.
- 26.2 In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
- to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
 - to receive from the committee, reports on the activities of the club during the previous financial year;
 - to elect office bearers of the club and members of the committee for the ensuing year;
 - to receive and consider any financial statement or report which is required to be submitted to members under The Act.
- 26.3 Once the audited statement of the financial affairs of the club is received and passed, the incumbent public officer is required to lodge the financial statements and annual return with the NSW Department of Fair Trading.
- 26.4 An annual general meeting must be specified as such in the notice convening it, such notice being written notice given to members by the secretary at least 28 (twenty-eight) days prior.
- 26.5 A quorum must be present to hold an annual general meeting, this quorum consisting of a minimum of 20 (twenty) members of the club including 50% (fifty percent) of the number of people comprising the committee.

27. SPECIAL GENERAL MEETINGS – CALLING OF AND BUSINESS AT

- 27.1 The committee may whenever it thinks fit, convene a special general meeting of the club.
- 27.2 The committee must, on the requisition in writing of at least 5% (five percent) of the total number of members, convene a special general meeting of the club.
- 27.3 A requisition of members for a special general meeting:
- must state the purpose or purposes of the meeting; and
 - must be signed by the members making the requisition; and
 - must be lodged with the secretary; and
 - may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- 27.4 If the committee fails to convene a special general meeting to be held within 1 (one) month after that 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 not later than 3 (three) months after that date.

- 27.5 A special general meeting convened by a member or members as referred to in clause 27.4 must be convened as early as is practicable in the same manner as committee meetings are convened, and any member who consequently incurs any reasonable expense is entitled to be reimbursed by the club for any expense so incurred on production of appropriate invoices.
- 27.6 Except if the nature of business proposed to be dealt with at a special general meeting requires a special resolution of the club, the secretary must, at least 14 (fourteen) days before the date fixed for the holding of the special general meeting, give notice to each member specifying the place, date and time of the meeting and nature of the business proposed to be transacted at the meeting.
- 27.7 If the nature of the business proposed to be dealt with at a special general meeting requires a special resolution of the club, the secretary must at least 28 (twenty-eight) days before the date fixed for the holding of the special general meeting, cause notice to be given to each member specifying in addition to the matter required under subclause (6), the intention to propose the resolution as a special resolution.
- 27.8 No business other than that specified in the notice convening a special general meeting is to be transacted at the meeting.
- 27.9 A quorum must be present to hold a special general meeting, this quorum consisting of a minimum of 20 (twenty) members of the club including 50% (fifty percent) of the number of people comprising the committee.

28. ANNUAL AND SPECIAL GENERAL MEETINGS – PROCEDURE

- 28.1 No item of business is to be transacted at an annual 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.
- 28.2 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:
- a) if convened on the requisition of members, is to be dissolved; or
 - b) in any other case, is to stand adjourned to another place as specified at the time of the adjournment by the person presiding at the meeting, or communicated by written notice to members given before the date to which the meeting is adjourned.

Part V – ALL CLUB MEETINGS – PROCEDURAL ISSUES

29. PRESIDING MEMBER

- 29.1 The president or, in the president's absence, the vice-president, is to preside as chairperson at any meeting of the club.
- 29.2 If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

30. ADJOURNMENT

- 30.1 The chairperson of any meeting of the club, 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 is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 30.2 If any meeting of the club is adjourned for 14 (fourteen) days or more, the secretary must give written notice of the adjourned meeting to each member eligible to be present at that meeting, stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

31. MAKING OF DECISIONS

- 31.1 A question arising at any meeting of the club is to be determined on a show of hands and, unless before or on the declaration of the show of hands a written ballot 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 the 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.
- 31.2 At any meeting of the club, a written ballot may be demanded by the chairperson or by at least 5 (five) members present in person, or by proxy, at the meeting.
- 31.3 If a written ballot is demanded at any meeting of the club, the ballot is to be conducted in accordance with the direction of the chairperson.

32. SPECIAL RESOLUTION

- 32.1 A special resolution may only be passed by the club in accordance with section 39 of The Act.

33. VOTING

- 33.1 On any question arising at any meeting of the club each member has one vote only.
- 33.2 All votes must be given personally or by proxy, but no member may hold more than 2 (two) proxies.
- 33.3 In the case of an equality of votes on a question at any meeting of the club, the chairperson of the meeting is entitled to exercise a second or casting vote.
- 33.4 A member is not entitled to vote at any meeting of the club unless all money due and payable by the member to the club has been paid.
- 33.5 A member is not entitled to vote at any meeting of the club if the member is under 18 (eighteen) years of age.

34. APPOINTMENT OF PROXIES

- 34.1 Each member is entitled to appoint another member as a proxy by notice given to the secretary no later than 24 (twenty-four) hours before the time of the meeting in respect of which the proxy is appointed.
- 34.2 The notice appointing the proxy is to be in the form set out in Appendix 2 to these rules.

Part VI – MISCELLANEOUS

35. INSURANCE

35.1 The club may effect and maintain insurance at the discretion of the committee.

36. FUNDS – SOURCE

36.1 The funds of the club are to be derived from:

- a) annual subscriptions of members;
- b) donations and/or sponsorships;
- c) proceeds from the operations of the club;
- d) such other sources as the committee determines.

36.2 Any money received by the club shall be deposited as soon as practicable and without deduction to the credit of the club's bank account.

36.3 The club must, as soon as practicable after receiving any money, issue an appropriate receipt.

37. FUNDS MANAGEMENT

37.1 Subject to any resolution passed by the club in any meeting of the club, the funds of the club are to be used in the pursuance of the objectives of the club in such a manner as the committee determines.

37.2 All cheques, other negotiable instruments and electronic transfers must be signed/authorised by 2 (two) office bearers of the club, being members authorised to do so by the committee.

38. ALTERATION OF OBJECTIVES AND RULES

38.1 The statement of objectives and these rules may be altered, rescinded and added to only by a special resolution of the club.

39. CUSTODY OF BOOKS

39.1 Except as otherwise provided by these rules:

- a) the secretary must keep in his or her custody or under his or her control all administrative and correspondence records, books and other such documents relating to the club, and
- b) the treasurer must keep in his or her custody or under his or her control all financial records relating to the club.

40. INSPECTION OF THE BOOKS

40.1 The records, books and other documents of the club must be open for inspection, free of charge, by a member of the club at any reasonable hour, but by appointment only.

41. SERVICE OF NOTICES

41.1 For the purposes of these rules, a notice may be served on, or given to a person:

- a) by delivering it to the person personally, or
- b) by sending it by pre-paid post to the last recorded postal address of the person, or
- c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

41.2 For the purpose of these rules, a notice is taken, unless the contrary is provided, to have been given or served:

- a) in the case of a notice given or served personally, on the date on which it was received by the addressee, and
- b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

42. AFFILIATION

42.1 The club may be affiliated with such bodies as at any time shall be deemed by the committee to be in the interest of the club.

APPENDIX 1 – APPLICATION FOR MEMBERSHIP

St. George Junior Baseball Club Inc.

APPLICATION FOR MEMBERSHIP

I, _____ of

hereby apply to become a member of the St. George Junior Baseball Club Inc. In the event of my admission as a member, I agree to be bound by the Constitution of the Club.

Signature of applicant

Date

I, _____ a member of the Club, nominate the applicant, who is personally known to me, for membership of the St. George Junior Baseball Club Inc.

Signature of proposer

Date

Received by: _____ Date: _____

Approved/Rejected: _____ Date: _____

APPENDIX 2 – APPOINTMENT OF PROXY FORM

St. George Junior Baseball Club Inc.

APPOINTMENT OF PROXY FORM

I, _____ of

being a member of St. George Junior Baseball Club Inc., hereby appoint

_____ of

being a member of St. George Junior Baseball Club Inc., as my proxy to vote for me on my behalf at the general meeting of the club (Annual General Meeting or Special General Meeting, as the case may be) to be held on the

_____ day of _____ 20__ and at any adjournment

of that meeting.

Signature of member appointing proxy

Date

Note: A proxy vote may not be given to a person who is not a member of St. George Junior Baseball Club Inc.

Received by: _____ at _____ am/pm

on _____ day of _____ 20__.