

ESSENDON BASEBALL CLUB INCORPORATED



STATEMENT OF PURPOSE AND RULES

CHANGE CONTROL SHEET

VERSION	MEETING DATE	REASON	DATE LODGED
1	Jan 24th 1993	New	
2	Nov 16th 1997	Liquor Licensing Commission Required	
3	Mar 12th 1998	ATO Required	
4	May 13th 2004	General Review	
5	May 18th 2006	Life Members Revision	
6	May 24th 2008	Life Member and General Rev	
7	May 27th 2009	General Revision	
8	May ??? 2013	General Revision	

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STATEMENT OF PURPOSE AND RULES

TABLE OF CONTENTS

PAGE NO	ITEM NO	SUBJECT
2		CHANGE CONTROL SHEET
3		TABLE OF CONTENTS
4	1	STATEMENT OF PURPOSES & RULES
5	2	NAME
5	3	INTERPRETATION
5,6,7,8,9	4	QUALIFICATION OF MEMBERSHIP
9	5	ENTRANCE FEE AND SUBSCRIPTIONS
9	6	REGISTER OF MEMBERS
9	7	RESIGNATION OF MEMBERSHIP
9,10,11	8	EXPULSION, SUSPENSION OR FINING OF MEMBERS
11	8A	VISITORS
11,12	9	ANNUAL GENERAL MEETING
12	10	SPECIAL GENERAL MEETINGS
12	11	GENERAL MEETING NOTICE
12,13	12	PROCEDURE
13	13	CHAIRPERSON
13	14	ADJOURNMENT
13,14	15	VOTING
14	16	PROXIES
14,	17	COMMITTEE - POWERS
14,15	18	CONSTITUTION
15,16	19	ELECTION OF COMMITTEE MEMBERS
16,17	20	SUB-COMMITTEE'S
17	21	GROUND'S FOR TERMINATION OF OFFICE
17,18	22	CLUB COACHES AND TEAM APPOINTMENTS
18	23	PLAYERS REPRESENTATIVE
18,19	24	QUORUM AND PROCEDURE AT MEETINGS
19	25	MINUTES
19	26	REMOVAL OF COMMITTEE MEMBERS
19,20	27	SIGNING OF NEGOTIABLE INSTRUMENTS
20	28	AUTHORITY TO EXPEND OR COMMIT
20	29	COMMON SEAL
20	30	ALTERATIONS OF STATEMENTS OF PURPOSES AND RULES
20,21	31	SERVICE OF NOTICES
21	32	WINDING UP
21	33	CUSTODY OF BOOKS AND OTHER DOCUMENTS
21	34	LIQUOR LICENSING REQUIREMENTS
21	35	DEALING WITH CLUB PROPERTY

ROLES OF COMMITTEE AND RESPONSIBILITIES

22	PRESIDENT
22,23	VICE-PRESIDENT (1)
23	VICE-PRESIDENT (2)
23,24	SECRETARYS
24	ASSISTANT SECRETARY
24	TREASURER
24,25	JUNIOR CO-ORDINATOR
25,26	JUNIOR SECRETARY
26	ACTIVITIES MANAGER
26	CANTEEN MANAGER
26,27	CLUBROOMS MANAGER
27	EQUIPMENT MANAGER
27	GROUND MANAGER
28	PUBLIC OFFICER

ESSENDON BASEBALL CLUB INCORPORATED
STATEMENT OF PURPOSES AND RULES

1. **STATEMENT OF PURPOSES**

The purpose of the Club shall be the encouragement, control and promotion of Baseball and any other sport under the jurisdiction of the Essendon Baseball Club Incorporated and on instruction of the Members therein and unless the Act negates the ability of the Club to exercise the following powers, the Club is empowered to:

- a) Aim to compete at the highest possible level
- b) Affiliate, if by resolution of the committee, with the Victorian Baseball Association or such body that controls the playing of baseball between the months of September to March.
- c) Affiliate, if by resolution of the committee, with the Victorian Winter Baseball League or such body that controls the playing of baseball between the months of April to September.
- d) Affiliate, if by resolution of the committee, with the Essendon Football Club and to promote the advantages and privileges of membership of the said club.
- e) Affiliate, if by resolution of the committee, with any such body that has interests conducive to the interests of the Club.
- f) Provide social and recreational pastimes for the Members.
- g) Pursue and conduct programs and projects, which further the interests of the Club and Baseball generally.
- h) Raise funds for the Club. Such funds shall be derived from membership fees, donations and such sources as the Committee may determine.
- i) Invest and deal with money's of the Club not immediately required.
- j) Raise and borrow money on terms it thinks fit.
- k) Secure the repayment of loans or payment of any debt or liability of the Incorporated Club by the way of mortgage, charge or security over all or any property of the Club.
- l) Do all such thing that are incidental or conducive to the attainment of the purposes and exercise of the powers of the Club.

ESSENDON BASEBALL CLUB INCORPORATED RULES & BY-LAWS

2. NAME

The name of the Club shall be known as the **ESSENDON BASEBALL CLUB INCORPORATED** hereinafter referred to as the "CLUB".

3. INTERPRETATION

1) "Committee" means the Committee of Management of the Club. "Financial Year" means the ending on the 31st day of March.

"Annual Meeting" means a meeting of Members convened in accordance with Rule 9.

"Member" means a Member of the Club.

"Ordinary Member of the Committee" means a Member of the Committee who is not an officer of the Club under Rule 17.

"The Act" means the Associations Incorporation Act 1981 or its amendment.

"The Regulations" means Regulations under the Act.

"Licensed Premises" means any premises of the Club holding a Club Licence under the provisions of the *Liquor Control Act 1987* or any amendment or re-enactment thereof.

"Premises" means any building occupied by the Club for the legitimate purposes of the Club other than premises holding a Club Licence.

"Ordinary Member" means senior playing member, student playing member and social member.

2) Words or expressions contained in the Rules shall be interpreted in accordance with the provisions of the Acts Interpretations Act 1958 and the Act as in force from time to time.

4. QUALIFICATION OF MEMBERSHIP

1) A natural person who is nominated and approved for membership as provided in these Rules is eligible to be a Member of the Club on payment of the entrance fee and Annual subscription payable under these Rules

2) A person who is a Member of the Club at the time of Incorporation of the Club, (or who was such a Member at the time but has ceased to be a Member) shall not be admitted to Membership unless: -

a) their admission as a Member is approved by the Committee.

3) A nomination of a person for Membership of the Club:-

a) shall be lodged with the Secretary of the Club.

- 4) As soon as practicable after the receipt of the nomination, the Secretary shall refer the nomination to the Committee.
- 5) Upon a nomination being referred to the Committee, the Committee shall determine whether to approve or to reject the nomination.
- 6) Upon a nomination being approved by the Committee, the Secretary shall, with as little delay as possible, notify the nominee in writing that he is approved for membership of the Club and request payment within the period of 28 days after receipt of the nomination of the sum payable under these Rules as the entrance fee and the first year's annual subscription.
- 7) If a Member elected as per sub-clause (6), fail to make the payments as described in sub-clause (6), such election shall be declared void and the elected shall be recorded as a debtor to the Club, if they have, in that time since their election, played or competed in a registered game or match played under the jurisdiction of the Club, and the size of the debt shall be the fee, as prescribed for their class of intended Membership, by the Committee as payable for that current season.
- 8) The secretary shall upon payment of the amounts referred to in sub-clause (6), within the period referred to in that sub-clause, enter the nominee's name in the register of members kept by him and, upon the name being so entered, the nominee becomes a Member of the Club.
- 9) A right, privilege or obligation of a person by reason of their Membership of the Club:-
- a) Is not capable of being transferred or transmitted to another person.
 - b) Terminates upon the cessation of their Membership whether by death or resignation or otherwise as stated in these rules.
- 11) The Club shall consist of the following classes of Membership:-
- a) Senior Playing Member
 A person over the age of 18 years old who registers to play and who is not a full time student.

 All Senior playing coaches shall be deemed to be Senior Playing Members and any non-playing coaches or personnel shall be deemed to be non-playing members.
 - b) Junior Playing Member
 There are four classes of Junior Membership: -
 - (i) A person who registers to play baseball and is aged 16, and < 18 years old
 - (ii) A person who registers to play baseball and is aged 14, and < 16 years old,
 - (iii) A person who registers to play baseball and is aged 9, 10, 11, 12, 13 < 14 years old,
 - (iv) A person who registers to play Tee-ball and is aged 6, 7, 8, and 9 years old. A Junior who is 9+ may be granted permission to play T-Ball subject to approval by the Junior Co-ordinator.

A Junior player mentioned under groups (i), (ii), (iii) or (iv) may be granted permission to play outside their age groupings after approval by the Juniors' Co-ordinator. The correct class of fee due by them is also subject to approval by the Juniors' Co-ordinator and

Treasurer.

A Junior Member shall not hold voting rights and shall not be eligible to hold office until they have attained the age of 18 years.

A Junior Member is a person under the age of 18 years who is elected as such for the purposes of using the sporting facilities of the Club who has been duly elected and who has paid an entrance fee (if any) plus an annual subscription determined by the Committee payable yearly in advance during the month in each year determined by the Committee. A Junior Member shall not be entitled to enter the licensed area of the Club except under conditions approved by the Liquor Licensing Commission under Section 128 of the *Liquor Control Act 1987*.

The Committee may grant to Junior Members of the Club such rights and privileges including voting rights on matters pertaining to the sport of baseball as are determined by the Committee but such rights and privileges shall not extend in any way to the licensed premises of the Club.

(c) Student Playing Member

A person over the age of 18 years old and who is a full time student.

(d) Social Member

A person who applies to become a non-playing Member of the Club.

A Social Member is a person over the age of 18 years who has been elected to the Club as such and who pays an annual subscription and entrance fee (if any) determined by the Committee. A Social Member shall have such privileges and be subject to such restrictions as determined by the Committee. Committee Members are deemed to be non-playing Members.

(e) Life Member

The Committee may in consideration of out-standing services rendered to the Club recommend any person for Life Membership of the Club:-

- (i) Such recommendation may come in the first instance from a sub- committee nominated for such purposes, (Life Member Sub-Committee)
- (ii) Any Ordinary Member may submit names of Members that they believe fit the criteria to the Life Member Sub-Committee for consideration. (all such nominations are to be accompanied with written reasons that the member should be considered for nomination).
- (iii) All recommendations of the Sub-Committee shall be forwarded to the Committee for consideration.
- (iv) To be granted Life Membership a Member must have had at least 10 years service to the club. Service shall be defined as on-field and of-field or may just relate to off-field. ie: committee or worker. On-field service alone does not automatically qualify as to the interpretation of meaning of service to the club.
- (v) A Life Member shall be eligible to attend any meeting of the Club and hold full

voting rights and have access to all amenities of the Club, a Life Member shall also be entitled to stand for election as a Committee Member.

- (vi) A Life Member will be relieved of payment of fees and levies to the Club, except that if the Member is still an active player in which case they will be liable only for the fees as defined for a playing Member.

(f) Honorary Member

The persons hereafter mentioned in this Rule may be elected as Honorary Members of the Club:-

- (i) The Mayor and Councillors of the City of Moonee Valley.
- (ii) The President and members of the executive of the **Baseball Victoria**.
- (iii) Any person who is a member or official of any club, body or Association which is on any given day competing against a team representing the Club or any persons representing a club or organization paying an official visit to the Club. Any such person may be elected as an Honorary Member only for the day upon which the visit takes place. Three Members of the Committee shall form a quorum for the purposes of electing Honorary Members and to see that the persons being nominated are eligible pursuant to this sub-clause.
 - a) Persons attending the Club for a particular function or occasion approved by the Committee which function or occasion is not to exceed 24 hours duration.
 - b) A person whose usual place of residence is 100 kilometres from the Club premises may be elected as an Honorary or Temporary Member of the Club for such period as the Board decides.
- (iv) The number of Honorary Members shall be determined at the discretion of the Committee.
- (v) The Committee shall have the power to withdraw any or all privileges from Honorary Members, and Honorary Members shall not be entitled to take part in any annual or special Meeting nor vote upon any subject thereat. They shall not have any right, title or interest in any of the property of the club.
- (vi) No person shall be allowed to become an Honorary Member of the Club or be relieved of the payment of the regular subscription except those possessing the qualifications defined in these Rules and subject to the conditions and regulations described herein.
- (vii) A person awaiting election for membership may be elected an Honorary Member of the Club. The name and address of each Honorary Member and of the Members of the Committee by whom they are elected shall be entered at the time of their election in a book to be kept for that purpose. The rights and privileges of a person elected as an Honorary Member of the Club under this Rule shall be as determined by the Committee.
- (viii) The Committee of the Club may grant reciprocal rights to the Members of another club or clubs upon such terms and conditions as the Committee thinks fit.

(ix) Subject to any direction of the Committee to the contrary, Life and Ordinary Members shall at all times have priority in the use of the facilities of the licensed premises of the Club.

5. ENTRANCE FEE AND SUBSCRIPTIONS

- [1] The yearly entrance fee shall be the applicable affiliation fee as set by the committee.
- [2] The Annual subscription, which is payable in advance and due and payable on the first scheduled game of the appropriate season, will be set by the Committee.
- (a) If necessary the Finance Sub-Committee shall rule on a Member's correct class of Membership.
- [3] The Committee may at its discretion introduce and apply any levy to the annual subscription or entrance fee as it may from time to time see fit to introduce.
- [4] Any fee, subscription or levy paid under sub-clauses [1], [2] & [3] shall be non-refundable.

6. REGISTER OF MEMBERS

The Secretary shall keep and maintain a register of Members in which shall be entered the full name, address, age and date of entry of the name of each Member and the register shall be available for inspection by Members at the address of the Public Officer.

7. RESIGNATION OF MEMBERSHIP

- [1] A Member of the Club who has paid all moneys due and payable by them to the Club may resign from the club by first giving one months' notice in writing to the Secretary of their intention to resign and upon the expiration of that period of notice, the Member shall cease to be a Member.
- [2] Upon the expiration of a notice under sub-clause [1], the Secretary shall make in the register an entry recording the date on which the Member, by whom the notice was given, ceased to be a Member.

8. EXPULSION, SUSPENSION OR FINING OF MEMBERS

- [1] Subject to these Rules, the Committee may by resolution: -
- (a) expel a Member from the Club,
- (b) suspend a Member from Membership of the Club for a specified period; or
- (c) fine a Member in accordance with the regulations if the Committee is of the opinion that the Member - has refused or neglected to comply with these Rules; or
- (d) has been guilty of conduct unbecoming a Member.

[2] A resolution of the Committee under sub-clause [1]: -

- (a) does not take effect unless the Committee, at a Meeting held not earlier than 14 and not later than 28 days after the service on the Member of a notice under sub-clause [3] confirms the resolution in accordance with this clause; and
- (b) where the member exercises a right of appeal to the Club under this clause does not take effect unless the Club confirms the resolution in accordance with this clause.

[3] Where the Committee passes a resolution under sub-clause [1], the Secretary shall as soon as practicable, cause to be served on the member notice in writing: -

- (a) setting out the resolution of the Committee and the grounds on which it is based;
- (b) stating that the Member may address the Committee at a Meeting to be held not earlier than 14 and not later than 28 days after the service of the notice;
- (c) stating the date, place and time of that meeting;
- (d) informing the Member that they may do one or more of the following:
 - (i) attend the meeting;
 - (ii) give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution;
 - (iii) not later than 24 hours before the date of the meeting, lodge with the Secretary, a notice to the effect that he wishes to appeal to the Club in General Meeting, against the resolution.

[4] At a meeting of the Committee held in accordance with sub-clause [2], the Committee:-

- (a) shall give to the Member an opportunity to be heard;
- (b) shall give due consideration to any written statement submitted by the Member; and
- (c) shall by resolution determine whether to confirm or to revoke the resolution.

[5] Where the Secretary receives a notice under sub-clause [3], he shall notify the Committee and the Committee shall convene a General Meeting of the Club to be held within 21 days after the date on which the Secretary received the notice.

[6] At a General Meeting of the Club convened under sub-clause [5]: -

- (a) no business other than the question of the appeal shall be transacted;
- (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
- (c) the Member shall be given an opportunity to be heard; and
- (d) the Members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.

[7] If at the meeting: -

- (a) two thirds of the Members present vote in favour of the confirmation of the resolution, the

resolution is confirmed; and

(b) in any other case the resolution is revoked.

- [8] If any Member fails to renew the Annual subscription as specified in “item 5.2”, except if specified in these Rules, they may have their rights of Membership suspended, (and they shall not be available for further selection, if playing Member), until the outstanding liability has been settled as ruled by the Finance Sub-Committee. If the Member does not respond within a period of a further one month they shall be deemed to have abandoned their Membership and the Secretary shall make note on this date the Member ceased to be a Member and the Ex- Member shall be recorded by the Secretary as a debtor of the Club for the FULL amount outstanding. Any Member that has not FULLY paid all monies due and payable to the Club by the last scheduled game of the applicable season shall be ineligible to receive any Club awards.

The club will also inturn notify BV and or VWBL of the players suspension and reason so suspended and ask that they be suspended from all licensed Baseball competitions until debt is paid.

8A. VISITORS

- [1] A visitor shall be entitled to enter and remain on the licensed premises in the company of a Member who shall enter the name and address of the visitor in a book kept on the licensed premises for that purpose.
- [2] No Member shall introduce more than 10 visitors to the licensed premises on any date unless the Member is paying for a function being attended by the visitors. No Member shall introduce the same visitor to the licensed premises on more than 12 occasions in any period of 12 months but this restriction shall not apply to the spouse, partner or children of a Member.
- [3] A visitor's behaviour on the premises shall be the responsibility of the introducing Member who may be disciplined by the Committee for the behaviour of the visitor.
- [4] The Committee or their representative shall have the right to exclude or evict any visitor or Member whose behaviour on the licensed premises is or has at any time been considered by the Committee or their representative as objectionable or prejudicial to the interests of the Club.
- [5] The Club shall keep a record of each guest and visitor to the Club, including their name, date of visit and the name of the Member introducing the guest or visitor.
- [6] A visitor shall not be supplied with liquor on the licensed premises unless the visitor is accompanied by a Member or is admitted in accordance with these Rules and the Act.

9. ANNUAL GENERAL MEETING

- [1] The Club shall in each calendar year convene an Annual Meeting of its Members which shall be held prior to the 31st day of May.
- [2] The Annual Meeting shall be specified as such in the notice convening it;
- [3] The ordinary business of the Annual Meeting shall be:
- (a) to confirm the minutes of the last preceding Annual Meeting and of any General Meeting held since that meeting;
 - (b) to receive from the Committee reports upon the transactions of the Club during the last preceding Financial Year;
 - (c) to elect officers of the Club and the Ordinary Members of the Committee; and
 - (d) to elect sub-committees as defined in these rules; and

(e) to receive and consider the statement submitted by the club in accordance with Section 30 (3) of the Act.

- [4] The Annual Meeting may transact special business of which notice is given in accordance with these rules.
- [5] The Annual Meeting shall be in addition to any other General Meetings that may be held in the same year.

10. SPECIAL GENERAL MEETINGS

All General Meetings other than the Annual Meeting shall be called Special General Meetings;

- [1] The Committee may, whenever it thinks fit convene a Special General Meeting of the Club and, where, but for this sub-clause, more than 15 months would lapse between Annual Meetings, shall convene a Special General Meeting before the expiration of that period.
- [2] The Committee shall, on the requisition in writing of Members representing not less than 5% of the total number of Members, (excluding Junior Members), convene a Special General Meeting of the Club.
- [3] The requisition for a Special General Meeting shall state the objects of the meeting and shall be signed by the Members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the Members making the requisition.
- [4] If the Committee does not cause a Special General Meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the Members making the requisition, or any of them, may convene a Special General Meeting to be held not later than 3 months after that date.
- [5] A Special General Meeting convened by Members in pursuance of these rules shall be convened in the same manner as nearly possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Club to the persons incurring the expenses.

11. GENERAL MEETING NOTICE

- [1] The Secretary of the Club shall, at least 14 days before the date fixed for holding a General Meeting of the Club, cause to be sent to each Member of the Club at their address appearing in the register of Members, a notice by pre-paid or electronic post ie email etc, stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- [2] No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- [3] A Member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next General Meeting after receipt of the notice.

12. PROCEDURE

- [1] All business that is transacted at a Special General Meeting and all business that is transacted at the Annual Meeting with the exception of that specially referred to in these rules as being the ordinary business of the Annual meeting shall be deemed to be Special business.
- [2] No items of business shall be transacted at a General Meeting unless a quorum of Members

entitled under these rules to vote is present during the time when the meeting is considering that item.

- [3] 8 Members personally present (being Members entitled under these rules to vote at a General Meeting) constitute a quorum for the transaction of the business of a General Meeting.
- [4] If within half an hour after the appointed time for the commencement of a 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 next week at the same time and (unless another place is specified by the chairperson at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting 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 5) shall be a quorum.

13. CHAIRPERSON

- [1] The President, or in his absence, the Vice-Presidents, in order of seniority, shall preside as chairperson at each General Meeting of the Club.
- [2] If the President and the Vice-Presidents are absent from a General Meeting, the Members present shall elect one of their number to preside as chairperson at the meeting.

14. ADJOURNMENTS:

- [1] The chairperson of a General Meeting at which a quorum is present may, with the consent of 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 a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of the General Meeting.
- [3] Except as provided in sub-clause (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

15. VOTING

- [1] A question arising at a 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, and an entry to that effect recorded 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.
- [2] Upon any question arising at a General Meeting of the Club, a Member has one vote only unless specified in these Rules.
- [3] A Junior Member is not entitled to voting rights.
- [4] All votes shall be given personally.
- [5] In case of an equality of voting on a question, the chairperson of the meeting is entitled to exercise a second or casting vote.
- [6] If at a meeting a poll on any question is demanded by not less than 5 Members, it shall be taken at the meeting in such manner as the chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.

- [7] A poll that is demanded on the election of a chairperson or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the chairperson may direct.
- [8] A Member is not entitled to vote at any General Meeting unless all moneys due and payable by them to the Club has been paid.

16. **PROXIES**

All votes must be given personally, No Proxy Voting.

17. **COMMITTEE - POWERS**

- [1] The affairs of the Club shall be managed by a Committee constituted as provided in Rule 18.
- [2] The Committee: -
- (a) shall control and manage the business and affairs of the Club;
 - (b) may, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the club other than those powers and functions that are required by these rules to be exercised by General Meetings of the Members of the Club; and
 - (c) subject to these Rules, the Regulations and the Act, has power to perform all acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Club.

18. **CONSTITUTION**

- [1] The officers of the Club shall be: -
- (a) a President; (Chairperson)
 - (b,c) Two Vice-Presidents (1), (2);
 - (d) a Secretary;
 - (e) a Treasurer;
 - (f) a Junior Co-ordinator
 - (g) a Public Officer.

And the committee shall have the power to appoint 2 further Officers as they deem fit.

- [2] The provisions of Rule 18 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause [1];
- [3] Each Officer of the Club shall hold office, subject to these Rules, until the conclusion of the Annual Meeting next after the date of their election, or appointment, but is eligible for re-

election or appointment (as the case may be);

- [4] In the event of a casual vacancy in any office referred to in sub-clause [1] the Committee may appoint one of its Members to the vacant office and the Member so appointed may continue in office up to and including the conclusion of the Annual Meeting next following the date of their appointment;
- [5] Subject to Section 23 of the Act, the Committee shall consist of :-
- (a) the Officers of the Club; and
- (b) 7 Ordinary Members:-
- (i) The positions of the ordinary members shall be:-Assistant Secretary, Junior Secretary, Canteen Manager, Activities Manager, Ground Manager, Equipment Manager and Clubroom Manager, each of whom shall be elected at the Annual Meeting of the Club in each year.

Note The duties of the above positions are presented as an addendum to these Rules & By-Laws.

- [6] Each Ordinary Member of the Committee shall, subject to these Rules, hold office until the conclusion of the Annual Meeting next after the date of their election but is eligible for re-election.
- [7] In the event of a casual vacancy occurring in the office of an Ordinary Member of the Committee, the Committee may appoint a Member of the Club to fill the vacancy and the Member so appointed shall hold office, subject to the rules, until the conclusion of the Annual Meeting next following the date of their appointment.

19. **ELECTION OF COMMITTEE MEMBERS**

- [1] Nominations of candidates for election as Officers 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 (which may be endorsed on the form of nomination); and
- (b) shall be delivered to the Secretary of the Club not less than 7 days before the date fixed for the holding of the Annual Meeting.
- [2] If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual Meeting.
- [3] If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- [4] If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.

- [5] The ballot for the election of Officers and Ordinary Members of the Committee shall be conducted at the Annual Meeting in such usual and proper manner as the Committee may direct.
- [6] A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for another office for election.
- [7] Members eligible to vote shall be Life Members and Ordinary Members eligible to stand for election to the position of Officers of the Club or to the Committee of the Club shall be registered Life Members or Ordinary Members. Members eligible to vote and stand for election must be over 18 years of age.

20. **SUB-COMMITTEES**

[1] Social Sub-Committee

A Social Sub-Committee of six Members shall be elected at the Annual Meeting. The duty of this Committee shall be to promote and conduct the social activities of the Club and it shall have the power to make recommendations to the Committee through its representative, (Activities Manager), on the Committee.

[2] Finance Sub-Committee

A Finance Sub-Committee of three Members, of which the Committee shall elect two, will present to the Committee, budgets and estimates for the forthcoming year. The Sub-Committee will also oversee all investments made by or on behalf of the Club. The Treasurer shall be chairperson.

(a) The Finance Sub-Committee shall rule, if required, on a player's financial status.

[3] Fundraising Sub-Committee

A Fundraising Sub-Committee shall be elected at the Annual Meeting and will be responsible for all fundraising activities of the Club and it shall have the power to make recommendations to the Committee through its representative (Vice-President (2)) on the Committee.

[4] Life Member Sub-Committee

The Life Member Sub-Committee shall consist of three Members. The President shall be chairman, plus two Members appointed by the Committee.

The Chairman of the Sub-Committee shall schedule a meeting of the Sub-Committee

The Life Members Sub-Committee may recommend to the Committee any Member or Members they deem meet the criteria for nomination for Honorary Life Membership.

[5] Coaching Appointments Sub-Committee

A Coaching Appointments Sub-Committee shall be appointed by the Committee to recommend to the Committee, Coaches for the appropriate season.

[6] Junior Sub-Committee

This Sub-Committee, under the direction of the Junior Co-ordinator, with the Junior Secretary, will be responsible for the running of the Essendon Baseball Club Inc., Junior program, and nominations shall be called for at the Annual meeting.

[7] Buildings Sub-Committee

This Sub-Committee, comprising of the Vice-President (1), Canteen Manager and the Equipment Manager, will be responsible for the buildings, external and internal, and will deal with the day to day matters concerning the same and report as necessary to the Committee. The chairperson of this Sub-Committee shall be the Vice-President (1).

[8] Selections Sub-Committee

The Selections Sub-Committee shall consist of the Club Coach, team coaches, and an independent chairperson. This Sub-Committee will be responsible for the selection of all senior teams that the Club may field and will adhere to the guidelines laid down by the Committee from time to time.

[9] Winter Season Sub-Committee (if applicable)

The Winter Season Sub-Committee shall consist of a Chairperson and three General members (or a number seen fit by the Committee), who shall be nominated by the Committee) and the Winter Coach (once elected) and they shall have the responsibility of overseeing the running of Winter season competition and they shall report to each meeting of the Committee.

21. **GROUND FOR TERMINATION OF OFFICE**

For the purposes of these rules, the office of an Officer of the Club or of an Ordinary Member of the Committee becomes vacant if the Officer or Member:-

- [1] ceases to be a Member of the Club;
- [2] becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
- [3] resigns their office by notice in writing given to the Secretary.

22. **CLUB COACHES AND TEAM APPOINTMENTS**

[1] Club Coaches (Summer & Winter)

All applications for these positions be called for within an appropriate time (as determined by the Committee) after the completion of the preceding season and the appropriate recommendations will be made by the Coaching Appointments Sub-Committee to the Committee once applications are received and considered. In the event that a Club Coach is engaged by the Club on a multi-season agreement, applications for the contracted position(s) will not be called until the contracted period has ended.

The Committee by special resolution, at the 1st meeting once the season has been completed, set the timing of the advertising of applications for the appropriate Coaching appointment.

The method for calling for applications for the Club Coaches positions will be an advertisement on

the Club and Baseball Victoria and or Social websites for a period determined by the Committee.

- (a) The Club Coaches, once their appropriate season is to commence, shall become ex officio Members of the Committee for the duration of their appropriate season and will report as deemed necessary to the Committee.

[2] Team Appointments

All applications for the positions of individual team coaches, managers and scorers will be called for prior to the start of the appropriate season. From these applications or in the event of no applications, the Committee, in consultation with the Coaching Appointments Sub-Committee, shall make these appointments.

23. PLAYERS' REPRESENTATIVE

The Playing Members of each appropriate season shall appoint a Member of their own who shall represent them in all discussions, representations and dealings with the Committee and the Members once appointed shall become ex officio Members of the Committee for the duration of their appropriate season and shall report as necessary at the meetings of Committee.

24. QUORUM AND PROCEDURE AT MEETINGS

- [1] The Committee shall meet at least 3 times in each year at such place and such times as the Committee may determine.
- [2] Special Meetings of the Committee may be convened by the President or by any 4 of the Members of the Committee.
- [3] Notice shall be given to the Members of the Committee of any Special Meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
- [4] Any 4 members of the Committee shall constitute a quorum for the transaction of the business of a meeting of the Committee.
- [5] No business shall be transacted 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 shall stand adjourned to the same time and place and at the same hour of the same day in the following week unless the meeting was a Special Meeting in which case it lapses.
- [6] At meetings of the Committee: -
 - (a) the President, or in his absence the Vice-Presidents in order of seniority, shall preside, or
 - (b) if the President and the Vice-Presidents are absent, such one of the remaining Members of the Committee as may be chosen by the Members present shall preside.
- [7] The business of the meeting shall be: -
 - (a) to receive and confirm the minutes of the previous meeting;

- (b) to receive and deal with correspondence;
 - (c) to receive and deal with reports;
 - (d) to deal with any general business;
 - (h) to receive and approve the annual revenue and expenditure budget and approve subscription rates for the ensuing season.
- [8] Questions arising at a meeting of the Committee or any Sub-committee appointed by the Committee shall be determined on a show of hands or, if demanded by a Member, a poll taken in such manner as the person presiding at the meeting may determine.
- [9] Each Member present at a meeting of the Committee or any Sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event, of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- [10] At the first meeting of the Committee, which shall be held within thirty days of the Annual Meeting, the Committee shall, if appropriate, make the following appointments: -
- Sub-Committees.
- [11] Written notice of each Committee meeting shall be served on each Member of the Committee by delivering it to them at a reasonable time before the meeting or by sending it by pre-paid post addressed to them at their usual or last known place of abode at least two business days before the date of the meeting. Electronic transmission, ie email etc, may also be used for delivery.
- [12] Subject to sub-clause (4) the Committee may act notwithstanding any vacancy on the Committee.

25. MINUTES

The Secretary of the Club shall keep minutes of the resolutions and proceedings of each General Meeting and each Committee Meeting in books provided for that purpose together with a record of the names and persons present at Committee meetings.

26. REMOVAL OF COMMITTEE MEMBERS

- [1] The club in General Meeting may by proposed resolution remove any member of the Committee before the expiration of their term of office and appoint another Member in their stead to hold office until the expiration of the term of the first-mentioned Member.
- [2] Where the Member to whom a proposed resolution referred to in sub-clause (1) makes representation in writing to the Secretary or President of the Club (not exceeding a reasonable length of time) and requests that they be notified to the Members of the Club, the Secretary or the President may send a copy of the representations to each Member of the Club or, if they are not sent, the Member may require that they be read out at the meeting.

27. SIGNING OF NEGOTIABLE INSTRUMENTS

[1] All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments, except if stated in these Rules, shall be signed by two Members of the Committee.

[2] Signatories to Club Cheque Accounts shall be as follows:-

(a) President, Vice-Presidents, Secretary, Treasurer.

Any two of the relevant signatories must sign.

[3] Club On-Line Banking

(a) The committee can designate as deemed necessary the person or persons who have authority to pay due accounts via the Clubs on-line banking facility.

(b) Such person or persons must hold a position of President, Secretary or Treasurer

28. AUTHORITY TO EXPEND OR COMMIT

[1] Any Committee Member may without reference to the Committee, expend or commit to a maximum of ONE \$100 per transaction per month.

[2] Any two Committee Members, whom one must be the Treasurer, may without reference to the Committee, expend or commit to a maximum of \$250 per transaction.

(a) The Treasurer shall not attest his approval to more than two such transactions in any one month without prior Committee approval.

[3] Any four Committee Members, whom one must be the President and one be the Treasurer, may expend or commit to a maximum value of \$1200 per transaction.

(a) The Treasurer shall not attest his approval to more than 1 such transaction in any one month without prior Committee approval.

[4] All amounts outside the above must be approved by the Committee at a properly constituted meeting. Statutory accounts, ie: electricity, gas, phone & water along with BV accounts will be due and payable on notice date and are not subject to committee approval pre-payment.

29. COMMON SEAL

[1] The Common Seal of the Club shall be kept in the custody of the Secretary.

[2] The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signature either of two members of the Committee or of one Member of the Committee and the Public Officer of the Club.

30. ALTERATIONS OF STATEMENTS OF PURPOSE AND RULES

These rules and the Statement of Purposes of the Club shall not be altered except in accordance with the Act.

31. SERVICE OF NOTICES

- [1] A notice may be served by or on behalf of the Club upon any Member either personally or by sending it by post or electronic transmission to the Member at their applicable address shown in the Register of Members.
- (a) Where a document is properly addressed pre-paid and posted as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the document would have been delivered in the ordinary course of post.
- (b) Where a document is sent as a properly addressed electronic transmission, to the Member at their applicable electronic address as shown in the Register of Members, it is deemed to have been given to the person at the time at which the document would have been delivered in the ordinary course of pre-paid post.
- (c) Where a document is sent as a properly address electronic transmission ie: email, or pre-paid post, the question of the recipient not replying cannot automatically be used as grounds of acceptance that they have given acknowledgement or acceptance of the details with- in. ie: “If no reply is received it will be deemed that you are in agreement with the details contained with-in”.

32. WINDING UP

If, upon the winding up or dissolution of the Club, there remains, after satisfaction of all its debts and liabilities, any property whatsoever, no portion thereof shall be paid to, or distributed among, the members of the Club but shall be given or transferred to some other organization having objects similar to the objects of the Club, which is also not carried on for the profit or gain to its individual members, and which is similarly exempt from income tax.

33. CUSTODY OF BOOKS AND OTHER DOCUMENTS

Except as otherwise provided in these Rules, the Secretary shall keep in his custody or under their control all books, documents and securities of the Club.

34. LIQUOR LICENSING REQUIREMENTS

[1] The facilities of the Club shall be provided and maintained from the joint funds of the Club.

[2] No Secretary Manager or other officer or servant of the Club shall receive any payment or part payment by way of an allowance or commission from or upon the receipts of the Club for liquor supplied. The Register of Members shall be open at any time to the inspection of a licensing inspector in whose division the licensed premises are situated and any Authorised Member of the Police Force.

35. DEALING WITH CLUB PROPERTY

The property and income of the Club, however derived, shall be applied solely towards the promotion of the objects of the Club. No portion thereof shall be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise howsoever, by way of profit to the members.

ROLES OF THE COMMITTEE OF MANAGEMENT MEMBERS AND THE AREAS OF

RESPONSIBILITY

PRESIDENT (CHAIRPERSON)

BASIC FUNCTION

Responsible for general management and sound development of the club and in particular, the supervision of the activities of all Committee Members

RESPONSIBILITIES

- 1 The proper conduct of all meetings of the Club and the chairing of such meetings when present.
- 2 A regular report to the Committee on the overall picture of Club activities.
- 3 To represent the Club at appropriate V.B.A /V.W.B.L meetings, the leading of Club delegations at such gatherings and exercising of Club votes as dictated by the Committee.
- 4 The representation of the Club to all external bodies, including local government and other organizations and Clubs.
- 5 The formulation, in conjunction with the Committee, of the objectives re the budget for club activity in their year of office.
- 6 The maintenance of constitutional procedures at all times.
- 7 To act in a public relations capacity and where possible, to welcome all visitors to the Club.
- 8 To make provision for a deputy to represent him at such activities he is unable to attend.
- 9 Shall be Chairperson of Life Membership Sub-Committee. The timing of such election will be at the discretion of the President.

VICE-PRESIDENT [1]

BASIC FUNCTION

To assist the President and ensure the smooth operation of all Club activities.

RESPONSIBILITIES

- 1 To maintain liaison with other Committee Members and actively promote the effective conduct of their duties.
- 2 To deputise for the President if the occasion warrants.
- 3 To act as a source of inquiry and a recipient of comment, be it compliment or complaint, for all Club Members.
- 4 To keep records of Club keys and their whereabouts.

- 5 Chairperson of Buildings Sub-Committee.

VICE-PRESIDENT [2]

BASIC FUNCTION

To assist the President and ensure the smooth operation of all Club activities.

RESPONSIBILITIES

1. To be in charge of all aspects connected with the raising of sponsorship and to handle all matters pertaining to sponsors.
2. To be in charge of all aspects of the promotion of the Club.
3. To handle all matters relating to external publicity of the Club.
4. To handle all matters relating to Club marketing.
5. Chairperson of the Fundraising Sub-Committee

SECRETARY

BASIC FUNCTION

To be responsible to the Committee for the administration of the day-to-day affairs of the Club.

RESPONSIBILITIES

1. Keep a correspondence register showing all mail received and all mail despatched and table same at each Committee meeting.
2. To keep files on all outwards correspondence and periodically report to the Committee on all unanswered correspondence.
3. To distribute to Members any circulars as may be decided by the Committee from time to time.
4. To keep attendance records of all Committee and General Meetings and to be familiar with the constitution.
5. The preparation, in conjunction with the President, of the agenda for all Committee meetings and the compilation of the Annual Report.
6. To represent the Club, in conjunction with the President, at appropriate BV / V.W.B.L meetings and to exercise Club votes as directed by the Committee.
7. To keep a register of Senior playing Members, Student playing Members, Social Members and Life Members.
8. To be responsible for all Secretarial matters, except those outlined in the duties of the Junior Secretary, pertaining to all Members of the Club, including registration, insurance coverage,

clearances etc.

ASSISTANT SECRETARY

BASIC FUNCTION

To assist the Secretary in the performance of their duties.

RESPONSIBILITIES

1. The taking and recording of minutes of all Committee, General and Annual meetings.
2. The distribution of minutes to all Committee members within 14 days of each meeting.
3. The performance of any duties as requested by the Secretary.

TREASURER

BASIC FUNCTION

To be responsible to the Committee for the financial affairs of the Club.

RESPONSIBILITIES

1. To receive all monies due to the Club and make payments on behalf of the Club as approved by the Committee.
2. To submit to each Committee meeting, a statement of receipts and payments and position regards budget and explanations thereof.
3. Chairperson of the finance sub-committee, which shall provide budget estimates for the coming year and oversee all investments made by or on behalf of the Club.
4. To present to each Committee meeting, accounts for payment with appropriate recommendations.
5. Shall submit Annual balance sheets and statement of receipts and expenditure in time for Annual audit.
6. Shall be charged with the responsibility that outstanding accounts receivable are received and report on same at each Committee meeting as deemed necessary.
7. To collect all Membership fees concerning Senior players, Student players and Social Members.
8. To authorise all purchases made on behalf of the Club

JUNIOR CO-ORDINATOR

BASIC FUNCTION

To be responsible for and organise all matters pertaining to Junior players and the playing of Junior baseball within the jurisdiction of the Club.

RESPONSIBILITIES

1. To act as a source of inquiry for all Junior players.
2. To compile a file on all Junior players.
3. To be responsible for all Junior uniforms, the purchase, care, distribution and collection.
4. To advise all Junior team changes, playing times, meeting arrangements and arrange transport where necessary.
5. To attend all V.B.A.J.L / V.W.B.L.J.L meetings as a representative of the Club and to exercise Club votes as directed by the Committee.
6. To make provision for a deputy to represent him at the above mentioned meetings if he is unable to attend.
7. To promote recruitment of Junior players, including Tee Ball.
8. Chairperson of the Junior sub-committee set up to oversee all aspects of playing and running Junior baseball within the Club.

JUNIOR SECRETARY

BASIC FUNCTION

To be responsible to the Committee for the administration of all matters pertaining to the Junior players and the playing of Junior baseball within the jurisdiction of the Club.

RESPONSIBILITIES

1. To be responsible for all secretarial matters pertaining to all Junior baseball Members of the Club, including registrations, clearances and insurance coverage etc.
2. To represent the Club, in conjunction with the Junior Co-ordinator, at appropriate V.B.A.J.L / V.W.B.L.J.L meetings and to exercise Club votes as directed by the Committee.
3. The taking and recording of minutes of all Junior sub-committee meetings.
4. To collect all Junior Membership fees.
5. The distribution of the minutes of the Junior sub-committee meeting to the Members of the Committee.
6. The performance of any other duties as requested by the Junior Co-ordinator.

ACTIVITIES MANAGER**BASIC FUNCTION**

To be responsible for all social activities within and on behalf of the Club.

RESPONSIBILITIES

1. Chairperson of Social sub-committee.
2. Organisation and presentation of a social calendar within first two months of office.
3. To present to each Committee meeting a financial statement on each months activities and advise of upcoming events.
4. To liaise with Vice President (2) on all matters of fundraising.

CANTEEN MANAGER**BASIC FUNCTION**

To be responsible for all bar and kitchen activities within the Club.

RESPONSIBILITIES

1. To be responsible for the purchase and sale of all refreshments and foodstuffs sold or consumed within the Club.
2. To act in liaison with the Activities Manager in the organisation of social functions.
3. To be responsible for the rostering of the cleaning of the Clubrooms.
4. To organise a roster of Members so that the bar and kitchen are adequately staffed at all times.
5. To prepare and submit a financial statement to the Committee each month showing expenditure and receipts.

CLUB HOUSE MANAGER**BASIC FUNCTION**

To be responsible for the clubrooms equipment and cleanliness.

RESPONSIBILITIES

1. To be in charge of updating all Club honour boards.
2. To act in liaison with the Canteen Manager in the staffing and stocking of the bar area.
3. To be responsible for the rostering of the cleaning of the Clubrooms.

4. To be responsible for the making sure that all clubroom equipment is in safe working order.

EQUIPMENT MANAGER

BASIC FUNCTION

To organise and be responsible for the maintenance of all playing equipment and all the purchases pertaining to the said equipment.

RESPONSIBILITIES

1. To act as a source of inquiry for all players as regards to gear.
2. To be responsible for all playing equipment, its purchase, distribution, care and collection.
3. To be responsible for all uniforms, their purchase and distribution.
4. To compile a file on all playing equipment and report monthly to the Committee on necessary purchases.
5. To purchase supplies of and maintain a first aid locker.
6. To supervise playing equipment storeroom.
7. To roster Members, as required, for the umpiring of matches played under the jurisdiction of the Club.
8. Purchase, distribution and control of baseballs, be it match or training

GROUND MANAGER

BASIC FUNCTION

To be responsible for and the organisation of all matters pertaining to the playing fields of the Club.

RESPONSIBILITIES

1. To organise working bees as deemed necessary
2. To continually observe grounds and report at each Committee meeting requirements regards maintenance and materials needed.
3. To ensure that playing fields are mowed regularly and on the day of play that they are of the standard required.
4. To co-ordinate the marking of the grounds as required.
5. To organise the maintenance of all associated equipment.
6. To ensure that for each home game scheduled to be played by the Club that there is a ground fully prepared to the standard required.

OBLIGATIONS OF THE PUBLIC OFFICER

1. Notify the Registrar within fourteen days of appointment (except as a result of incorporation of an unincorporated association, or a migration, or amalgamating associations)

Section 28(1)
2. Notify the Registrar of a change of Public Officer or a change of address within fourteen days of the change.

Section 28(1)(2)
3. Lodge with the Registrar a notice of special resolution to change the statement of purposes or rules within one month of the general meeting.

Section 22(2)
4. Make application to the Registrar for approval of a change of name within one month after passing a special resolution to change the association's name.

Section 13(2)(3)(a)(c)(d)
5. Lodge with the Registrar the documents required by section 30(4) in respect of the Annual General Meeting within one month or such further period as the Registrar allows.

Section 30(4)
6. Lodge with the Registrar within fourteen days after the association becomes trustee of a trust, particulars of the trust and a copy of any relevant document.

Section 16(4)
7. Lodge with the Registrar notice of special resolution relating to the winding up of the association within one month of passing the resolution.

Section 35(1A)
8. Produce any book required by the Registrar or an authorised officer.

Section 47(5)
9. Tell the Registrar or an authorised officer; where to the best of the Public Officer's knowledge or belief a book is at the time of the request

Section 47(6)
10. Not hinder or obstruct the Registrar or an authorised officer in the exercise of their powers of inspection.

Section 47(7)
11. Immediately bring to the attention of the committee of management any document served on the association at the Public Officer's address.

Section 48