



Thornlie and Districts Tee Ball Association Inc.
Rules of Association
Revision 2000

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1. NAME OF ASSOCIATION

The name of the association is Thornlie and Districts Tee Ball Association Inc. herein after referred to as T.D.T.B.A.

2. DEFINITIONS

- 2.1 In these rules, unless the contrary intention appears,
- 2.1.1 "Affiliated Club" means an affiliated club referred to in rule 7.
 - 2.1.2 "the Council" means the Members referred to in rule 13
 - 2.1.3 "Council Meeting" means meeting referred to in rule 18.1
 - 2.1.4 "Council Member" means person referred to in rule 13.1
 - 2.1.5 "Financial Year" means the twelve month period commencing on the 1st April each year and ending on the 31st March in the following year
 - 2.1.6 "General Meeting" means meeting convened under rule 19
 - 2.1.7 "Member" means member referred to in rule 8
 - 2.1.8 "Ordinary Resolution" means resolution other than special resolution
 - 2.1.9 "Special Resolution" has the meaning given by section 24 of the act
 - 2.1.10 "the Act" means the *Associations Incorporation Act 1987*
 - 2.1.11 "the President" means-
 - 2.1.11.1 in relations to the proceedings at a Council Meeting or General Meeting, the Person presiding at the Council Meeting or General Meeting in accordance with rule 15.1 or
 - 2.1.11.2 otherwise than in relation to the proceedings referred to in paragraph 2.1.11.1, the person referred to in rule 13.1.1.1 or, if that person is unable to perform his or her functions, the Vice-President referred to in rule 15.2
 - 2.1.12 "the Secretary" means the Secretary referred to in rules 13.1.3
 - 2.1.13 "the Treasure" means the Treasurer referred to in rule 13.1.4
 - 2.1.14 "the Vice-President" means the Vice-President referred to in rule 13.1.2

3. OBJECTS

- 3.1 The objectives of T.D.T.B.A. are-
- 3.1.1 to promote, control and manage the sport of Tee Ball in the Thornlie and Districts in conjunction with Affiliated Clubs and the Tee Ball Association of Western Australia.
 - 3.1.2 to control and manage teams representing T.D.T.B.A.
 - 3.1.3 to obtain sponsorship for the sport (excluding advertising of liquor and/or tobacco)
- 3.2 The property and income of the T.D.T.B.A. shall be applied solely towards the promotion of the objects of T.D.T.B.A. and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of these objects

4. COLOURS

The colours of the T.D.T.B.A. shall be gold and black and/or whatever other colours that are adopted from time to time.

5. POWERS

- 5.1 The powers conferred on the T.D.T.B.A. by section 13 of the act are subject to the following additions, exclusions or modifications
- 5.1.1 To make, amend or rescind playing rules appertaining to Tee Ball
 - 5.1.2 To subscribe to, become a member of and cooperate with any other association or organisation, incorporated or not, whose objects are similar to those of the T.D.T.B.A.
 - 5.1.3 To appoint, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be deemed necessary or convenient for the purposes of the T.D.T.B.A.
 - 5.1.4 To invest and deal with the money of the T.D.T.B.A. not immediately required in such a manner as may be determined by the council from time to time
 - 5.1.5 To make, draw, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
 - 5.1.6 To sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the T.D.T.B.A.
 - 5.1.7 To print and publish any newspapers, periodicals, books or leaflets that the T.D.T.B.A. may think desirable for the promotion of its objects.
 - 5.1.8 To exercise all such powers as may be necessary for the proper conduct of the business of the T.D.T.B.A.

6. AFFILIATION

The T.D.T.B.A. shall affiliate to the Tee Ball Association of Western Australia and other such organisations as the Council deems fit

7. AFFILIATED CLUBS.

- 7.1 Incorporated Tee Ball Clubs may apply for affiliation with the T.D.T.B.A. by
- 7.1.1 Applying in writing to the Council,
 - 7.1.2 Submitting Club colours for approval by the Council,
 - 7.1.3 Furnishing a copy of the Clubs constitution/ Rule of Association.
 - 7.1.4 Providing a list of Office Bearers

8. MEMBERSHIP

- 8.1 Members of the T.D.T.B.A. shall be defined as
- 8.1.1 the office bearers referred to in Rule 13.1.1.
 - 8.1.2 General Committee referred to in 13.1.2.
 - 8.1.3 Life Members referred to in Rule 9
 - 8.1.4 All registered players
 - 8.1.5 All registered players parents
 - 8.1.6 Adults (without children playing) whom wish to assist in the administration of the association
 - 8.1.7 Temporary members, who in the opinion of the Executive Committee, wish to play but cannot Afford to do so.
 - 8.1.8 Temporary members, shall have no voting rights.
- 8.2 All members agree to be bound by these Rules and are thereby entitled to
- 8.2.1 membership for a period of 12 months from September 1st of each year
 - 8.2.2 the rights and privileges offered by the T.D.T.B.A.

9. LIFE MEMBERS

Members of the T.D.T.B.A. who have rendered specially meritorious direct services to the T.D.T.B.A. may, on the recommendation of the Executive, be presented to the members at an Annual General Meeting for election as Life Members of the T.D.T.B.A. by a three-fourths majority of members voting. A maximum of two life memberships may be given in any one year.

10. REGISTER OF MEMBERS

- 10.1 The registrar shall on behalf of T.D.T.B.A. keep and maintain the register of such members as,
- 10.1.1 are office bearers referred to in Rule 13.1.1
 - 10.1.2 General Committee referred to in Rule 13.1.2
 - 10.1.3 Life Members referred to in Rule 9 and
 - 10.1.4 Registered players of the association

11. SUBSCRIPTION OF MEMBERS

- 11.1 The Council shall determine, from time to time, the amount of any subscription due and payable by
- 11.1.1 any registered player as referred to in Rule 8.1.4
 - 11.1.2 any temporary members as referred to in Rule 8.1.7

12. EXPULSION OF MEMBERS

- 12.1 If the Council considers that a member shall be expelled from membership of the T.D.T.B.A. because his or her conduct is detrimental to the interests of the T.D.T.B.A., the Council shall communicate to the member in writing-
- 12.1.1 notice of the proposed expulsion and the time, date and place of the Council Meeting at which the question of that expulsion will be decided; and,
- 12.1.2 particulars of that conduct
not less than 30 days before the Council Meeting referred to in paragraph 12.1.1.
- 12.2 At the Council Meeting referred to in a notice communicated under sub rule 12.1 the Council may, having afforded the member concerned a reasonable opportunity to be heard by, or to make representations in writing to the Council, expel or decline to expel that member from membership of the T.D.T.B.A. and shall, forthwith after deciding whether or not so to expel the member, communicate that decision in writing to that member.
- 12.3 Subject to sub rule 12.5 a member who is expelled under sub rule 12.2 from membership of the T.D.T.B.A. ceases to be a member 14 days after the day on which the decision so to expel him or her is communicated to him or her under sub rule 12.2.
- 12.4 A member who is expelled under sub rule 12.2 from membership of the T.D.T.B.A. shall, if he or she wishes to appeal against that expulsion, give notice in writing to the Secretary of his or her intention to do so within the period of 14 days referred to in sub rule 12.3
- 12.5 When notice is given under sub rule 12.4
- 12.5.1.1 the T.D.T.B.A. in a General Meeting may, after having afforded the member who gave that notice a reasonable opportunity to be heard by, or to make representations in writing to, the T.D.T.B.A. in the General Meeting, confirm or set aside the decision of the Council to expel the member; and
- 12.5.2 The member who gave that notice does not cease to be a member unless and until the decision of the Council to expel him or her is confirmed under this sub rule.

13. COUNCIL

- 13.1 The affairs of the T.D.T.B.A. shall be managed exclusively by a Council consisting of elected office bearers and delegates nominated by affiliated Clubs
- 13.1.1 Office Bearers
- 13.1.1.1 President
- 13.1.1.2 Vice-President
- 13.1.1.3 Secretary
- 13.1.1.4 Treasurer
- 13.1.1.5 Registrar
- 13.1.1.6 State Championship Coordinator
- 13.1.1.7 Any other officer considered necessary from time to time by the Council
- 13.1.2 General Committee
- 13.1.2.1 1 Delegate nominated by each affiliated Club
- 13.1.2.2 Delegates to other sporting groups or affiliates
- 13.2 In addition to the Council positions in sub rule 13.1 the T.D.T.B.A. may elect at the Annual General Meeting
- 13.2.1 a Patron
- 13.2.2 one or more Vice-Patrons
- 13.2.3 Delegates to Tee Ball Association of Western Australia or other sporting bodies
- 13.3 When a casual vacancy within the meaning of Rule 16 occurs in the membership of Council
- 13.3.1 the Council may appoint a member to fill that vacancy; and
- 13.3.2 a member appointed under this sub rule shall
- 13.3.2.1 hold office until the closure of; and
- 13.3.2.2 be eligible for election to membership of the Council at the next following Annual General Meeting
- 13.4 Each affiliated Club shall nominate their delegate,
- 13.4.1 at the first Council Meeting after the Annual General Meeting of the T.D.T.B.A.; or
- 13.4.2 at the first Council Meeting after that Clubs Annual General Meeting, such delegates may be changed during the year by advising the Council in writing.
- 13.5 Delegates may appoint a proxy for Council Meetings only. The proxy so appointed shall be introduced or introduce him/herself at the meeting for which the appointment is made.

14. EXECUTIVE COMMITTEE

- 14.1 The Executive Committee shall consist of President, Vice-President, Secretary, Treasurer, Registrar, and any other officer deemed necessary by the Council from time to time.
- 14.2 Should any urgent matters arise, and it is impracticable to refer the matter to the Council Meeting, the executive shall have the power to deal with such matters.
- 14.3 The President shall seek the opinion of all available members and shall act in such a manner as the majority of such members approve.
- 14.4 In the event of there being no majority, the President shall call a meeting of the Executive Committee to decide the matter.

15. POWERS AND DUTIES OF OFFICEBEARERS

15.1 President

- 15.1.1 Subject to this rule, the President shall preside at all General Meetings and Council Meetings
- 15.1.2 In the event of absence from-
 - 15.1.2.1 a General Meeting of-
 - 15.1.2.1.1 the President, the Vice-President; or
 - 15.1.2.1.2 both the President and the Vice-President, a member elected by the other members present at the General Meeting
 - or
 - 15.1.2.2 a Council Meeting of-
 - 15.1.2.2.1 the President, the Vice-President; or
 - 15.1.2.2.2 both the President and the Vice-President a Council member elected by the other Council members present,shall preside at the General Meeting or Council Meeting, as the case requires.
- 15.1.3 the President shall be a member of all sub-committees.

15.2 Vice-President

- a Vice-President shall preside at all meetings in the absence of the President.

15.3 Secretary

The Secretary shall-

- 15.3.1 coordinate the correspondence of the T.D.T.B.A.
- 15.3.2 keep full and correct minutes of the proceedings of the Council and of the T.D.T.B.A. and ensure any disclosure of interest made by any member is recorded in the minutes as required by section 21 of the act.
- 15.3.3 Comply on behalf of the T.D.T.B.A. in respect of;
 - 15.3.3.1 section 28 of the Act in respect of the rules of T.D.T.B.A.; and
 - 15.3.3.2 section 29 of the Act in respect of the record of the office bearers of the T.D.T.B.A.
- 15.3.4 have custody of all books, documents, records and registers of the T.D.T.B.A., including those referred to in paragraph 15.3.3, other than those required by rule 15.4 or 15.5, and
- 15.3.5 perform such duties as are imposed by these rules on the Secretary.

15.4 Treasurer

the Treasurer shall-

- 15.4.1 be responsible for the receipt of all moneys paid to or received by, or by him or her on behalf of, the T.D.T.B.A. and shall issue receipts for those moneys in the name of the T.D.T.B.A.
- 15.4.2 pay all moneys referred to in paragraph 15.4.1 into such account or accounts of the T.D.T.B.A. as the Council may from time to time direct
- 15.4.3 make payments from the funds of the T.D.T.B.A. with the authority of a general Meeting or of the Council and in so doing ensure all Cheques are signed by two authorised Council members
- 15.4.4 comply on behalf of the T.D.T.B.A. with sections 25 and 26 of the Act in respect to accounting records of the T.D.T.B.A.
- 15.4.5 whenever directed to do so by the President, submit to the Council, a report, balance sheet or financial statement in accordance with that direction
- 15.4.6 have custody of all securities, books and documents of a financial nature and accounting records of the T.D.T.B.A. including those referred to in paragraphs 15.4.4 and 15.4.5 and
- 15.4.7 perform such other duties as are imposed by these rules on the Treasurer

- 15.5 Registrar
the Registrar shall-
- 15.5.1 keep a register of all affiliated Clubs
 - 15.5.2 ensure the eligibility of all players in T.D.T.B.A. competitions, and
 - 15.5.3 comply on behalf of T.D.T.B.A. with the provisions of section 27 of the Act

16. CASUAL VACANCIES IN MEMBERSHIP OF COUNCIL

- 16.1 A casual vacancy occurs in the office of a Council member and that office becomes vacant if the Council member
- 16.1.1 dies
 - 16.1.2 resigns by notice in writing delivered to the President or, if the Council member is the President, to the Vice-President
 - 16.1.3 is convicted of an offence under the Criminal Justice System.
 - 16.1.4 is permanently incapacitated by mental or physical ill health
 - 16.1.5 is absent from more than-
 - 16.1.5.1 two consecutive Council Meetings without being granted leave of absence or
 - 16.1.5.2 two Council Meetings in the same financial year, of which he or she has received notice without tendering an apology to the person presiding at each of those Council Meetings or
 - 16.1.6 ceases to be a member of the T.D.T.B.A.

17. ELECTION OF OFFICE BEARERS

- 17.1 Nominations for office shall be declared open by the Secretary at least 21 days before the Annual General Meeting
- 17.2 Individuals wishing to nominate must do so in writing to the Secretary, arriving on or before the day of the Annual General Meeting.
- 17.3 Nominations shall be signed by the proposer and shall have the consent of the person nominated endorsed thereon, both of whom shall be members of the T.D.T.B.A.
- 17.4 If there are more than one nomination for an office then, at the Annual General Meeting, the Secretary shall read out the nominations and ask the nominees in turn to outline their abilities to execute the position. Then a secret ballot shall be held.
- 17.5 If there have been no nominations for a particular position then the President shall call for nominations from those present at the meeting.

18. PROCEEDINGS OF COUNCIL MEETING

- 18.1 The Council shall meet together for the dispatch of business no less than once per calender month and the President may at any time convene a meeting of the Council
- 18.2 Each Council member, except the President, or the person presiding over the meeting in his or her place, has a deliberative vote.
- 18.3 A question arising at a Council Meeting shall be decided by a majority of votes cast by a show of hands or a secret ballot at the discretion of the person presiding over the meeting. If there is an equality of votes ,the person presiding at the Council Meeting shall cast the deciding vote.
- 18.4 At a Council Meeting 7 Council members shall constitute a Quorum
- 18.5 Subject to these rules, the procedure and order of business to be followed at a Council Meeting shall be determined by the President
- 18.6 Members of Affiliated Clubs may attend Council Meetings but only the nominated Delegate of that club may participate in the meeting
- 18.7 A Council member having any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in contemplation of the meeting shall;
- 18.7.1 as soon as he or she becomes aware of his or her interest, disclose the nature and extent of his or her interest to the meeting; and
 - 18.7.2 not take part in any decisions or deliberations of the meeting with respect to that contract; and
 - 18.7.3 otherwise comply in every respect with sections 21 and 22 of the Act

19. GENERAL MEETINGS

- 19.1 The President –
- 19.1.1 may at any time convene a Special General Meeting
 - 19.1.2 shall convene Annual General Meetings within the Month of April each year

- 19.1.3 shall within 30 days of-
 - 19.1.3.1 receiving a request in writing to do so from not less than 10 members, convene a Special General Meeting for the purpose specified in that request; or
 - 19.1.3.2 the Secretary receiving a notice under rule 12.1 convene a Special General Meeting for the purpose of dealing with the appeal to which the notice relates
- 19.2 The members making a request referred to in sub rule 19.1.3.1 shall-
 - 19.2.1 state in that request the purpose for which the Special General Meeting concerned is required; and
 - 19.2.2 sign that request
- 19.3 Subject to rule 19.6, the Secretary shall give all members not less than 14 days notice of a General Meeting and of any motions to be moved at the General Meeting
- 19.4 A notice given under sub rule 19.3 shall specify-
 - 19.4.1 when and where the General Meeting concerned is to be held; and
 - 19.4.2 particulars of the business to be transacted at the General Meeting concerned and of the order in which that business is to be transacted
- 19.5 In the case of the Annual General Meeting, the order in which business is to be transacted is
 - 19.5.1 first, the consideration of the accounts and reports of the Council Office Bearers
 - 19.5.2 second, any other business requiring consideration by the T.D.T.B.A. in a General Meeting; and
 - 19.5.3 third, the election of Office bearers to replace out going Office bearers
- 19.6 The Secretary shall give to all members not less than 14 days notice of a General Meeting at which a special resolution is to be proposed and of any other motions to be moved at that General Meeting
- 19.7 The Secretary may give notice under sub rule 19.3 or 19.6 by-
 - 19.7.1 serving it on a member personally; or
 - 19.7.2 sending it by post to a member at the address of the member appearing in the register of members kept and maintained under section 27 of the Act; or
- 19.8 When a notice is sent by post under sub rule 19.7.2 sending of the notice shall be deemed to be properly effected if the notice is sufficiently addressed and posted to the member concerned by ordinary pre paid mail, and the notices shall be deemed to have been received by the member on the next weekday following the date of such posting
- 20. QUORUM IN PROCEEDINGS AT GENERAL MEETINGS
- 20.1 At a General Meeting 10 members present constitute a Quorum
- 20.2 If within 15 minutes after the time specified for holding of a General Meeting, a quorum is not present, the members who are present may nevertheless proceed with the business of that General Meeting as if a quorum were present
- 20.3 The President may, with the consent of a General Meeting at which a quorum is present, and shall, if so directed by such a General Meeting, adjourn that General Meeting from time to time and from place to place
- 20.4 There shall not be transacted at an adjourned General Meeting any business other than that business left unfinished or on the agenda at the time when the General Meeting was adjourned
- 20.5 At a General Meeting-
 - 20.5.1 an ordinary resolution put to the vote shall be decided a majority of votes cast on a show of hands or a secret ballot at the discretion of the person presiding over the meeting; and
 - 20.5.2 a special resolution put to the vote shall be decided in accordance with section 24 of the Act
- 20.6 A declaration by the President at a General Meeting that a resolution has been passed as an ordinary resolution thereat shall be evidence of the fact unless, during the General Meeting at which the resolution is submitted , a poll is demanded in accordance with sub rule 20.7
- 20.7 At a General Meeting, a vote may be demanded by the President at the General Meeting or by three or more members present and, if so demanded, shall be taken in such manner as the President directs.
- 20.8 If a vote is demanded and taken under sub rule 20.7 in respect of an ordinary resolution, a declaration by the President of the result of the poll is evidence of the matter so declared.
- 20.9 A vote demanded under sub rule 20.7 on the election of a person to preside over a General Meeting or on a question of an adjournment shall be taken forthwith on that demand being made.

21. MINUTES OF MEETING

- 21.1 The Secretary shall cause proper minutes of all proceedings of all General Meetings and Council Meetings to be taken and then to be entered within 30 days after the holding of each General Meeting or Council Meeting, as the case requires, in a minute book kept for that purpose.
- 21.2 The President shall ensure that the minutes taken of a General Meeting or Council Meeting under sub rule 21.1 are checked and signed as correct by the President of the General Meeting or Council Meeting to which those minutes relate or of the next succeeding General Meeting or Council Meeting, as the case requires.
- 21.3 When minutes have been entered and signed as correct under this rule they shall, until the contrary is proved, be evidence that-
- 21.3.1 the General Meeting or Council Meeting at which they relate (in this sub rule called “the meeting”) was duly convened and held
- 21.3.2 all proceedings recorded as having taken place at the meeting did in fact take place thereat, and
- 21.3.3 all appointments or elections purporting to have been made at the meeting have been validly made.

22. FINANCE

- 22.1 All funds received by the T.D.T.B.A. shall be deposited into an account at such bank or recognised financial institution as the Council may determine.
- 22.2 All accounts due and payable by the T.D.T.B.A. shall be paid by cheque after having been passed for payment by a Council meeting and when immediate payment is necessary , the account shall be paid and the action endorsed at the next Council Meeting
- 22.3 The account referred to in sub rule 22.1 shall be operated by any two of three signatories, consisting of President, Vice- President and Treasurer, provided that they are not related in any way.

23 AUDITOR

- 23.1 The Executive Committee shall elect or appoint an Auditor
- 23.2 The Auditor shall examine and audit all the books and accounts of the T.D.T.B.A. annually, and have the power to call for all books, papers, accounts, receipts etc. of the T.D.T.B.A. and report thereon to the members at the Annual General Meeting, either in person or through an Auditors Report presented by the Treasurer of the T.D.T.B.A.

24 RULES OF ASSOCIATION

- 24.1 The T.D.T.B.A. may alter or rescind these rules, or make rules additional to these rules in accordance with the procedure set out in sections 17, 18 and 19 of the Act
- 24.2 These rules bind every member and the T.D.T.B.A. to the same extent as if every member and the T.D.T.B.A. had signed and sealed these rules and agreed to be bound by all their provisions.

25. COMMON SEAL

- 25.1 The T.D.T.B.A. shall have a common seal on which appears its corporate name in legible characters and its Australian business number.
- 25.2 The common seal of the T.D.T.B.A. shall not be used without the express authority of the Council and every use of that common seal shall be recorded in the minute book referred to in rule 21
- 25.3 The affixing of the common seal of the T.D.T.B.A. shall be witnessed by any two of the President, Secretary or Treasurer.
- 25.4 The common seal of the T.D.T.B.A. shall be kept in the custody of the Secretary or of such other person as the Council decides from time to time.

26. INSPECTION OF RECORDS

A member may at any reasonable time and upon 7 days notice in writing, inspect without charge the books, documents, records and securities of the T.D.T.B.A. But under no circumstances shall any of these be removed for that purpose.

27. DISTRIBUTION OF SURPLUS PROPERTY ON WINDING UP

27.1 If on the winding up of the T.D.T.B.A. any property of the T.D.T.B.A. remains after satisfaction of the debts and liabilities of the T.D.T.B.A. and the costs, charges and expenses of that winding up, that property shall be distributed-

27.1.1 to another association incorporated under the Act; or

27.1.2 for charitable purposes

which incorporated association or purposes, as the case requires shall be determined by resolution of the members when authorising and directing the Council under section 33(3) of the Act to prepare a distribution plan for the distribution of the surplus property of the T.D.T.B.A.