

PLYMOUTH MARINERS ADULT BASEBALL CLUB

CLUB CONSTITUTION

1. Name

- 1.1 The organisation shall be called Plymouth Mariners Adult Baseball Club ("PMABC").

2. Affiliation

- 2.1 PMABC shall be affiliated to the British Baseball Federation and play in the independent South West Baseball League.

3. Aims, Objectives and Purpose

- 3.1 The purpose of PMABC is to promote and provide facilities for the amateur sport of baseball in the Plymouth area and community participation in the same.
- 3.2 PMABC shall consist of the senior programme and a developing youth programme for baseball.
- 3.3 PMABC shall create and administer baseball teams in the Plymouth area that will enter league and non-league baseball games, tournaments, competitions and events.
- 3.4 PMABC shall develop, promote and further the interests of baseball in the Plymouth and surrounding area.
- 3.5 PMABC shall value the diversity of the community in which it exists, offering opportunities to all to participate and to develop their skills.

4. Membership

- 4.1 PMABC shall consist of the officers and members.
- 4.2 Membership of PMABC shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.
- 4.3 PMABC may have different classes of membership and subscription on a non discriminatory and fair basis. PMABC will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- 4.4 PMABC Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring PMABC or sport into disrepute. Appeal against refusal or removal may be made to the members.
- 4.5 In accepting membership, a person agrees to abide by this Constitution of PMABC and the rulings of the PMABC Executive Committee.
- 4.6 Members under the age of 18 years shall be considered as junior members.
- 4.7 Junior members shall not have the right to vote at meetings, nominate or second candidates for election, stand for election as an officer or to the Executive Committee, or call for an EGM, but may otherwise fully participate in PMABC.

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5. Membership Fees

- 5.1 Membership fees shall be stipulated by the PMABC Executive Committee, distinguishing between different groups of players (e.g. by programme, team, age) as it deems fit.
- 5.2 Annual membership fees shall fall due on the first day of March (senior programmes) and first day of May (youth programmes) of each year and are payable to PMABC and not to any individual officer.
- 5.3 The Executive Committee may decide upon other charges or subscriptions at its discretion.
- 5.4 The Executive Committee may set a process for non-payment of annual fees, including financial penalties and suspension from PMABC.
- 5.5 The Executive Committee may award honorary membership to an individual on a term or life basis at their discretion. Such membership may be awarded, for example, in recognition of a significant cash donation, outstanding achievement or other activity that significantly benefits PMABC.

6. Appointed Roles

- 6.1 The Executive Committee shall each year appoint the head coach, team managers, team coaches, head umpire, head scorer and equipment manager for the baseball club, and also club-wide recruitment, field and communications managers. All appointment shall be in such numbers of people as the club then requires to be run effectively and efficiently.
- 6.2 An individual may be both an officer of the Executive Committee and appointed in another role. No Executive Committee official may appoint themselves to such a role.

7. Executive Committee

- 7.1 The management of PMABC shall be vested in the Executive Committee.
- 7.2 The Executive Committee shall act for the members. Liabilities incurred shall fall equally upon the membership provided the Executive Committee acts in accordance with the Constitution, in honesty and good faith.
- 7.3 The Executive Committee shall consist of the following officers of the club, being Chairman, Secretary, Treasurer and a Welfare, Diversity and Health & Safety Officer and any other positions the Executive Committee deems necessary and recommends to the membership at the Annual General Meeting.
- 7.4 These Executive Committee officers shall hold office for a calendar year, being elected annually at the Annual General Meeting (see article 9). All Executive Committee officers shall retire annually but shall be eligible for re-election.
- 7.5 The Secretary shall convene meetings of the Executive Committee which shall meet four times a year at equal quarterly intervals. Notice of meetings shall be given to officers at least seven days before the date of the meeting.
- 7.6 The quorum for the transaction of business at Executive Committee meetings shall be three (3).
- 7.7 Every question at a meeting of the Executive Committee shall be determined by a majority of the vote of the committee officers present, with every committee officer having one vote. In the event of an equality of votes, the President or meeting chair shall have a further casting vote.

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- 7.8 The interpretation of the Constitution of PMABC shall be vested in the Executive Committee, who shall decide all questions relating to PMABC, save those specified in or involving an amendment to the Constitution (see article 14).
- 7.9 The Executive Committee shall be responsible for considering any application for membership and shall decide if this application should be accepted. This decision shall be in accordance with the requirements of article 4.2. For effective operation between committee meetings the Executive Committee may delegate this responsibility, but retains overall responsibility for all membership matters.
- 7.10 The Executive Committee may create sub-committees as it sees fit, creating terms of reference and delegating to each such sub-committee whatever authority is determined appropriate.

8. Finance

- 8.1 All monies raised by or on behalf of PMABC shall be applied to further the objectives of PMABC and for no other purpose. Sources of income shall be in keeping with the objectives.
- 8.2 The Treasurer is responsible for the finances of PMABC.
- 8.3 The financial year of PMABC ends on 31 December.
- 8.4 Proper accounts shall be kept of all sums of money received and paid out by PMABC.
- 8.5 An annual Statement of Accounts for the year just ended shall be presented at the Annual General Meeting of PMABC.
- 8.6 The funds of PMABC shall be lodged at a bank or building society in an account in the name of Plymouth Mariners Baseball Club, and all cheques, drafts, etc. drawn on this account shall be signed by any two of the following officers: Chairman, Treasurer, Secretary.
- 8.7 No loan, overdraft or other liability will be created without the prior approval of the Executive Committee, except for sums in excess of one thousand pounds (£1000) that shall require the prior approval of an AGM (or an EGM convened for that purpose).
- 8.8 PMABC will reimburse to officials and other members reasonable expenses incurred while on official club business. This does not ordinarily include travel to and from practices or games.

9 Property and Club Funds

- 9.1 Responsibility for all property owned or leased by PMABC rests with the Executive Committee.
- 9.2 The Executive Committee shall maintain a list of club assets and provide an equipment audit once per year early in the off-season. Equipment losses and damage shall be reported to the members at the AGM.
- 9.3 The property and funds of PMABC cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits are reinvested in PMABC.
- 9.4 PMABC may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-match expenses, post match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- 9.5 PMABC may also in connection with the sports purposes of the Club sell and supply food, drink and related sports clothing and equipment.
- 9.6 PMABC shall not enter into any form of contract or agreement that creates or purports to create employment with an individual. PMABC shall have no staff or employees whether paid or otherwise.

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10. Annual General Meeting and Other Meetings

- 10.1 The Annual General Meeting (AGM) of PMABC shall be held in the first quarter of every calendar year when the Annual Report for the previous season of the Executive Committee and the Statement of Accounts up to the end of the prior financial year shall be presented.
- 10.2 The Executive Committee shall determine the date of the AGM. Not less than fourteen (14) days notice of the AGM shall be given to all members by the Secretary. The club website shall be a suitable medium for such notice.
- 10.3 The AGM shall elect the officers for the Executive Committee of PMABC.
- 10.4 The Secretary may receive nominations from members for officers at any time, including during the AGM. Nominations shall require seconding by another member. No member may nominate or second themselves. Nominations can only be accepted from persons eligible to vote at the AGM. No person may be nominated for election unless they are a member capable of voting at the AGM.
- 10.5 The Secretary may receive motions from members at any time, including during the AGM (except Constitutional motions – see Article 14 below). Motions shall require seconding by another member.
- 10.6 Any other meeting of PMABC shall be an Extraordinary General Meeting (EGM) and may be called by the Executive Committee at any time. If ten (10) or more members request an EGM for a specific purpose then one shall be held (except Club Dissolution – see Article 13 below). The Secretary shall give the same notice as for an AGM, stating the purpose of the EGM. The only business at the EGM shall be that stipulated in the request for an EGM by members.
- 10.7 All meetings shall be chaired by the President or in their absence by the Secretary, and then the Treasurer. If none of these are present the members attending the meeting shall select a chair from among themselves.
- 10.8 The quorum for general meetings shall be 20% (twenty percent) of the membership eligible to vote.

11. Voting Procedures at AGMs and EGMs

- 11.1 Each member in good standing with the club shall be entitled to one vote.
- 11.2 A motion shall be carried by a simple majority of those present, (except Constitutional motions – see Article 14 below).
- 11.3 Votes shall be for, against or abstain on any given motion.
- 11.4 The meeting chair shall count votes or appoint a tally-keeper from the members present.
- 11.5 In the event of a tied vote then the meeting chair shall have a casting vote in addition to their regular vote as a member.

12. Discipline and Appeals

- 12.1 The Executive Committee shall have the power to take appropriate disciplinary action against any member and shall have authority to terminate the membership of any member guilty of conduct deemed to be to the detriment of PMABC including bringing the club into disrepute.
- 12.2 There shall be the right of appeal to a disciplinary committee that shall be convened when such an appeal arises. Such committee shall include a majority of non-Executive Board officers. An appeal should be made in writing to the Secretary within twenty-eight (28) days of the disciplinary action. The appeal should normally be considered within fourteen (14) days of it being received by the Secretary.

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13. Dissolution Procedures

- 13.1 In the event of PMABC ceasing to exist, and following the discharge of all debts and liabilities, any assets at the time of the dissolution shall be distributed in accordance with article 13.3. No member shall obtain any asset from PMABC.
- 13.2 PMABC may be wound up on a resolution of the members, passed by a two-thirds majority at an EGM convened for that purpose upon the request of twenty percent (20%) of its members eligible to vote. At least twenty-eight (28) days notice of the meeting shall have been sent to all members of PMABC. Should there not be quorum at such a meeting, it shall be in the power of those present to wind up PMABC, requiring a two-thirds majority.
- 13.3 In the event of the passing of the resolution to wind up PMABC, the members shall appoint a representative committee which shall be empowered to distribute assets, including cash and investment in hand, (1) to another Club with similar sports purposes which is a registered charity and/or (2) to another Club with similar sports purposes which is a registered CASC and/or (3) to the Club's governing body for use by them for related community sports.

14. Review of the Constitution

- 14.1 This Constitution shall be open to review at any time.
- 14.2 Amendments to the Constitution shall only be agreed at an AGM of the membership or an EGM called for that purpose.
- 14.3 Additions to, or alterations of, the Constitution shall be submitted by a member to the Secretary not less than ten (10) days before the date of the Annual General Meeting and require seconding by another member. No resolution involving an amendment to the Constitution may be proposed or amended from the floor of a meeting.
- 14.4 In the event of a proposal for amending the Constitution being received in writing prior to the General Meeting, the Secretary shall inform the membership of the proposed motions not less than three (3) days before the Annual General Meeting.
- 14.5 Any amendments to the proposed motion duly proposed and seconded in like manner shall be submitted in writing to the Secretary at any time before the General Meeting.
- 14.6 Any alteration to the Constitution shall require a two-thirds majority of members present and voting.
- 14.7 In the event of any question or matter arising that is not provided for in the Constitution, the Executive Committee, whose decision shall be final, shall deal with such question or matter.

15. Priority

- 15.1 Where there is any conflict between any of the above Rules ("key Rules") and any other rule or rules the key Rule(s) will take priority. Interpretation of all the Rules must be consistent with the statutory requirements for CASCs (which means Community Amateur Sports Clubs as first provided for by the Finance Act 2002.)

Signed on Original