



## DANDENONG BASEBALL ASSOCIATION INCORPORATED

### BY-LAWS

#### 1. Fines

As permitted under sub-rule 16(1) of the Rules of Association ("the Rules"), the Board has determined that the following fines apply in relation to infringements of Competition Rules and/or these By-laws:

Withdrawal of nominated team entry (after round 2)	Payment of Team entry fees.
Non-attendance of delegate at meetings	\$50.00
Game forfeited prior to day of competition	NO COST
Game forfeited on day of competition (1st offence)	\$50.00
Game forfeited on day of competition (2nd and subsequent offence)	\$200.00
Illegal player**	\$50.00
Late return of Match Report Sheet (within 72 Hours, 5pm Tuesday)	\$20.00
Match results not communicated/communicated late (7pm match day)	\$20.00
Diamond marking incomplete	\$20.00
No bases and/or home plate and/or pitching mats	\$50.00
Home run delineation not fenced or otherwise clearly defined	\$50.00
No foul flags/cones	\$10.00
Late start	\$20.00
Player not in correct Club uniform ( <i>where applicable</i> )	\$10.00
Failure to provide an umpire ( <i>where required</i> )	\$50.00
Failure to provide DBA votes from both teams (each club)	\$20.00
Late return of statistic sheets (after 72 hours following match) ( <i>Applicable to A1 grade only</i> )	\$20.00

**NOTE \*\*** also refer to By-laws 3(d) and 4(j).

#### 2. Due Date for Payment of Accounts

As permitted under subrule 16(1) of the Rules, the Board has determined that an account for fees, subscriptions, and other amounts, outstanding by each Member (if any) will be sent to each Member by the Treasurer, during the first week of each month.

Except as provided in (a), (b) and (c) below, and in addition to the operation of subrule 16(2), the due date for payment of the amounts outstanding on those accounts will be the last day of the month in which the account is sent.

- (a) At the commencement of each season, unless otherwise determined by the Members in General meeting, the due date for payment of outstanding amounts will be the day prior to the fourth round of senior competition.

**Penalty:** Loss of all match points earned prior to due date for all teams.

- (b) All outstanding amounts connected with specific teams competing in a competition's finals series must be paid no later than 24 hours prior to that



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team competing in that series, unless otherwise determined by the Association in General Meeting.

**Penalty:** Disqualification of the specific team from competing in the finals series.

- (c) Special levies are due and payable at such times as may be decided by the Association in General Meeting or the Board when making such levy.

**Penalty:** A fine of ten percent (10%) of the special levy.

### **3. Registration of Participants**

- (a) Subject to paragraphs (b) and (c), any player who competes for a club in a competition conducted by the Association must be registered as a player of that club, and have paid all amounts they owe to, Baseball Victoria (BV) and Baseball Australia (BA) using the prescribed online system.

- (b) For the first game of any new season, where a player is determined to be unregistered and non-financial with Baseball Australia/Baseball Victoria, the player's club will be given 24 hours from midnight of the day of the game to ensure that that player is registered appropriately.

- (c) Unregistered players who fill in on a game day, need not register with Baseball Australia/Baseball Victoria unless it is their second game of baseball in the season (September → August each year) in any competition held under the auspices of Baseball Victoria or Baseball Australia.

- (d) *Playing an unregistered player.*

The penalties for playing a player other than as specified/allowed in paragraphs (a) (b) and (c) above are:

- the fine specified in By-law 1 for an illegal player,
- forfeiture of all games (score reverts 0-9 to opposing team), and points (if any), in which the player participated, and
- disqualification of the player from participation in any role in any finals series held under the auspices of the Association during the calendar year.

- (e) *Incorrect information on player registration.*

Any player furnishing incorrect information affecting their playing status on their application for registration with BA/BV is summarily suspended, and remains so until the correct information is registered with BA/BV.

In addition, the Board will review the events leading to, and flowing from, the incorrect disclosure and determine, at its discretion, whether any further action is required and/or penalties are warranted.

- (f) Subject to BA/BV, All Coaches, Volunteers, Scorers, Umpires, and officials must be registered with their club via the prescribed online system as a volunteer. Failure for clubs to register their volunteers will result in a warning for the first offence followed by each and every unregistered volunteer being ineligible to participate until registered.



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### **4. Clearances and Permits**

- (a) Players may transfer from one Club or Association to another either by way of Clearance or Match Permit on the prescribed form by their current association, via email attachment. Both Club and Association Secretaries must receive a copy of a Letter or Intent or Letter of Approach prior to a clearance being submitted. All parties mentioned must also be included in all correspondence regarding the clearance.
- (b) A Clearance is an unconditional transfer, intended to be permanent from one team in this Association to:
  - i) Another specified team or Club in this Association,
  - ii) A specified team or Club in another specified Association, or
  - iii) As an open clearance to any team, Club or Association.
- (c) A Match Permit is a conditional transfer/allowance, intended to be temporary, for such period as may be specified therein, as for example a period of one baseball season, or the period of recess between playing seasons, and subject to such restrictions and conditions as may be specified therein:
  - i) To a specified club in another Association, or
  - ii) To another specified Association.

Match permits are specific to the Dandenong Baseball Association and do not apply to other Winter Associations. Clearance or Dual Registration processes will apply.

- (d) No Clearance or Permit may be granted to a player unless a written application in the prescribed form is lodged with the player's club and/or association of current registration before the first day of July in the current playing season.

#### **(e) Forms and Procedures**

- (i) Clearance or Match Permit Forms must be signed by the player, and where a minor by a parent or legal guardian, and dealt with by the club or association to which it is addressed, and dealt with according to the process specified by BV. A Clearance/Match Permit form must be sent 7 days after a Letter of Intent/Approach.

The Board has the power to call on the officers of the club or affiliated association to show cause why a clearance or permit has been refused, and if they do not reply showing cause, or do not appear after having received seven (7) days' notice in writing, the Board shall have the power to deal with the application.

- (ii) Should a Club wish to approach a player registered with another club, it is its responsibility to advise that other club of their intention in writing, and send a copy of the letter to the Secretary of the Association (or if another association, both parties) at the same time. Clubs must provide a Letter or Intent/Approach 7 days prior sending a clearance/match permit form. Failure to do so is not grounds for a clearance to be rejected, but can be question by the association.
- (iii) Clearance procedures shall allow 14 days for the application to be processed in full. This is from the time of Letter of Intent, through to signed clearance by the current Association (7 Days from LOI to Clearance form, 7 days to completion). This can be



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completed in a shorter duration if all parties process forms quicker or by prior approval from the association secretary.

- (iv) The only valid grounds for a club or affiliated association denying a Clearance or Match Permit application is that:
- the player has an outstanding debt owing to it, and/or
  - the player has not returned to it property it owns, and/or
  - the granting of the application would cause the club or affiliated association to have to withdraw a team that it has entered, or would not be able to enter a team that it could have entered, if the player had not requested the Clearance or Permit, and/or
  - the player would be in breach of the terms of a contract between the player and the club or affiliated association.
- (v) Where a Clearance or Permit application is explicitly rejected within 14 days, or no reply has been received within 14 days, the aggrieved party may appeal the decision by a grievance process.

Where both parties are subject to Division 3 of the Association's Rules of Association, the process must comply with the process set out in that Division. Otherwise, the grievance must be referred to Baseball Victoria for mediation under the grievance procedures set out in its Rules of Association.

- (g) On the expiration of the period of a Permit or on any breach of the restrictions or conditions specified therein, the player shall automatically be regarded as transferred back to the club or association from which the permit was granted. Match permits are only applicable for the time stated on the permit and must not exceed one full season.
- (h) Any player who is not under suspension or disqualified by any club, or association, and has not played with a club, or been registered as a coach of a club at any time during the four preceding years, shall be deemed not to be registered with any Club.
- (i) Members of Armed Forces

Any interstate player who is a member of the Armed Forces of the Commonwealth of Australia may play with any Club in any Competition Match without a clearance, provided he has given an assurance in writing to the Secretary of the Association that he has not been disqualified from playing baseball in the State in which he last played, and has received a permit on the prescribed form from the Association.

- (j) Penalties

The penalty for violation of this By-Law, or for playing an ineligible player in any round of matches, shall be default of the game.

- (i) The team violating this by-law shall be loss of any match points relating to the game, and the score to be registered as either 0-9.
- (ii) The opponent of the violating team will be credited with the match points (where applicable) for the game, and the score shall registered as either 9-0.



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### **5. Transfer of Players between Teams in the same Club during the Regular Season**

- (a) A Club that enters two teams in the same competition grade must advise the Board in writing, at the time of entering the teams, which team is entered as the higher graded of the two and which team is entered as the lower graded of the two.
- (b) Any club with 2 teams in the same competition grade must provide a list of 5 core players in each team by round 4 of that season competition. These core players cannot interchange between teams.
- (b) Subject to meeting any eligibility requirements of the Competition Rules, players may transfer between teams in the same Club at any time during the season without obtaining a permit to do so.

### **6. Eligibility of Players for Finals Series**

- (a) For the purposes of this By-law, the grading of teams within a club shall be A1 as the highest ranking grade of competition, with the ranking decreasing in the order set out in Rule 3 of the Senior Competition Rules and then from the highest to lowest age groups set out in the Junior Competition Rules.
- (b) A player shall not be eligible to play in the finals series with a team unless:
  - (i) they are a registered player with the Club that entered the team in the competition, and
  - (ii) they have played in at least 4 games with that Club during the competition season immediately preceding the final series, and
  - (iii) more than half the number of games they have played in during that season have been with that team and/or lower graded teams.
- (c) Notwithstanding anything contained elsewhere in this By-Law, the eligibility of a player to participate in final round with a lower graded team shall not be prejudiced only by the fact that the player was selected to fill a vacancy in a higher graded team resulting from the absence of a player normally playing in a higher graded team being absent due to official duties with team representing the Association at a Winter Championship.
- (d) Other Circumstances May Be Considered  
Notwithstanding anything set out in (a), (b) and (c), where a player can show that they did not meet those criteria due to one or more of the following circumstances, and they can produce factual evidence to support their claim, they may seek the Board's approval to be deemed eligible to compete in the finals series for a particular team:
  - matches were abandoned due to adverse weather,
  - participation in a baseball event under the direct auspices of Baseball Australia,
  - duty with emergency services of the State of Victoria,
  - duty with the armed forces of the Commonwealth,
  - physical injury.

An application under this part must be in writing and lodged with the Secretary of the Association before 5pm on the first Tuesday following the end of the competition season immediately preceding the relevant final series.



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The application shall be dealt with by the Board on the last Thursday before the relevant final series.

The decision of the Board may be appealed under the grievance procedures set out in Division 3 of the Rules of Association.

### **7. Appointment of Coaches**

a) No person may be appointed Coach of any Club or team in the Association without having first been registered as a player of that Club.

b) Subject to requirements by Baseball Australia and Baseball Victoria, All Coaches/Assistant Coaches of all teams must hold the required level of coaching accreditation as stated by BA/BV. Failure to hold this accreditation will result in the coach being unable to participate until this accreditation is held.

### **8 Working With Children**

All club officers, officials and coaches (including coaches, scorers, team managers, umpires or senior players) who control or otherwise interact with persons under 18 years old, must comply with the current State of Victoria Working With Children (WWC) regulations. Clubs must provide the Association with an up-to-date list at commencement of a new season, or on request, using the prescribed form as determined by the association. Failure to comply will result in that club not being able to participate in any competition under the auspices of Baseball Australia, Baseball Victoria or DBA.

### **9. Playing Uniforms**

Each club must submit a list detailing the colours and design of all items comprising the intended uniform for that team, before the commencement of each season, for approval by the Board.

Where the Competition Rules for a particular competition provide that all players, or a specified number of them, must be in club uniform, no player competing in that competition may wear clothing not listed in the uniform approved by the Board.



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### **10. Obligations of Players Selected for Representative Teams**

- (a) Players selected to representative teams of the Association shall comply with all reasonable requests of the officials appointed to manage those teams, including making themselves available for all reasonable obligations and duties associated with that selection.

Without the express written permission of the Board, any player failing to comply with such requests will be automatically suspended from all competitions until all of the reasonable obligations and duties relating to that selection are still capable of being fulfilled.

- (b) Before being issued with an Association uniform, each player, or in the case of a junior player their parent or legal guardian, must sign a receipt in writing accepting responsibility for the care and return of the uniform laundered and in good order and condition, subject to normal wear and tear. The signatory of the receipt may also be required to lodge a security deposit that will be refundable on return of the uniform in the specified condition.

Association uniforms must be returned to the manager in the condition specified within 7 days after the end of the competition for which they were issued.

Where a uniform is returned within 7 days but not in the condition specified, the security deposit will be forfeit. Where the uniform is not returned within 7 days, the player is automatically suspended from all competitions until it is returned, and the deposit is forfeit. If a uniform is not returned before the end of the same playing season the player, or in the case of a junior player their parent or legal guardian, will be charged for the cost of a replacement uniform.

### **11. Suspensions, Disqualifications and Penalties**

This by-law extends the operation of Division 2 of the Rules of Association for events occurring in relation to any game or event under the control of the Association or a member of the Association, to officers, officials, players, parents and other spectators of ordinary members and associate members of the Association.

- (a) Breaches of Working with Children Regulations

Any person holding a Working With Children registration associated with the Association or a member of the Association, who observes a reportable incident under the Working With Children Regulations, must report the incident to the relevant authority as required under those Regulations.

- (b) General Powers

The Board reserves the right to fine, suspend or otherwise deal with any officer, official, registered player, or member, of an ordinary member and/or associate member of the Association for any act listed in sub-rule 19(1) of the Rules of the Association.

- (c) Failure to Carry Out Reasonable Direction in Relation to a Game or Event

Any officer, official, registered player, parent, family member of a registered player, or supporter of an ordinary member or associate member of the Association who fails to carry out any reasonable direction of an officer or official of the Association, or an official





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umpire, in relation to a game or event under the control of the association, is liable to such disciplinary action as the Board deems appropriate for the circumstances.

### **(d) Breaches of Codes of Behaviour**

Any officer, official, registered player, member, family member of a registered player, or supporter of an ordinary member and/or associate member of the Association who breaches a Code of Behaviour issued by the Association, is liable to such disciplinary action as the Board deems appropriate for the circumstances.

### **(e) Endorsement of Third Party Suspensions**

The Board will endorse all suspensions, disqualifications and other penalties imposed by any recognised incorporated body controlling baseball in Australia, providing it receives notification in writing of such suspension, disqualification or penalty.

### **(f) Persons Under Suspension Debarred from Taking Part in Matches**

Any person under suspension or disqualification by the Association, in accordance with any part of this by-law or the decision of a Tribunal is debarred from either playing, taking part in, or attending, any match under the control of the Association.

(i) Any officer or official of an ordinary member or associate member of the Association who knowingly allows a suspended or debarred person to participate in breach of their suspension debarment shall be liable to such disciplinary action as the Board deems appropriate in the circumstances.

(ii) Any registered player of the Association who knowingly plays in or takes part in any match in which a suspended player participates in breach of their suspension shall be liable to suspension or such other penalty as the Board determines appropriate in the circumstances.

### **(g) Right of Appeal**

Any party suspended, disqualified or otherwise penalised by the Board has the right of appeal by complying with the process set out in Division 3 of the Rules of Association. Subject to that right of appeal the decision of the Board shall be final and binding.

## **12. Protests**

If during a match played under the control of the Association any protest shall arise concerning the Rules of Baseball or the Competition Rules (other than judgment decisions) the protest shall be dealt with by the Board, and in such manner as it shall from time to time determine.

Notice of the protest stating clearly the rule or rules believed to have been infringed against must be lodged in writing, by post or email, and received by the Association Secretary within 48 hours of the completion of the game, together with a \$100.00 fee, which shall be forfeited, should the protest be considered frivolous.

(a) A protest must be lodged at the time of the objection with the umpire. The umpire must be given the opportunity to consider the point raised by the manager.

(b) The objecting manager, should he decide to continue the protest advises the umpire, and scorers record details as to:

(i) Innings

(ii) Position of Runners





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### **(iii) The call on player at bat**

It is the responsibility of the objecting manager to request the Umpire to endorse upon the Match Report Sheet that a protest has been lodged should they proceed with the protest.

In the event of a protest being raised during a preliminary or grand final, all protests will be dealt with as soon as they occur by the secretary of the association or an officially nominated person of the association as appointed by the secretary. Games will not continue until protests are dealt with.

### **13. Authority for Match Play**

No match or matches shall be undertaken by any Club in the Dandenong Baseball Association without the permission of the Association first being obtained, and no combination of players shall undertake any match or matches without the sanction of the Association. Any Club or player infringing this Rule shall be fined such sum as the Association may determine, and in the case of the Club, may be liable to expulsion from the Association.

### **14. Inter-Association Games**

- (a) Players for all such matches shall comply with the requirements of the Executive as to transport to and from such matches, accommodation and behaviour.
- (b) The expenses of any player or official selected to play in or officiate at such matches shall not be the responsibility of the Association unless the Board otherwise determines.

### **15. New Club applications**

- (a) New or existing clubs may apply prior to 1 February each calendar year to become a member of the association for the upcoming season.
- (b) Clubs must provide a copy of their Rules of Association, Certificate of Incorporation, List of all club officials, Most recent Annual report including finances, list of proposed team(s) plus their nominated ground/facilities.
- (c) Subject to 17b, Clubs may also be required to provide any other documentation as seen applicable by the association to justify their application.
- (d) Subject to 17 b, New start up clubs without a financial history shall be required to pay a refundable bond as determined by the association in lieu of their financial history. This shall be dealt with on a case-by-case application depending on the application.

### **16. Association Member Documentation**

- (a) All Member clubs of the association must complete a Membership Application as the start of each season. Clubs must complete all parts of this form and forward the relevant documents required to the Association Secretary as required.
- (b) Documents required include, but may not be limited to,
  - Certificate of Incorporation.
  - Latest Annual report including Finances.



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- Club Constitution (Rules of Association as registered with Consumer Affairs Victoria).
  - Working With Children Check register (as per Ba/BV supplied template).
  - Club Executive contact details.
  - List of Club Coaches, Managers, Scorers, Umpires and Volunteers.
- (c) Failure to comply with By Law 16 will result in clubs being ineligible to participate in match play until issues are rectified.