



CSJBA
Administration,
Policy and Procedure
Manual

Version 1.51

Revision and Approval History

Date	Author	Ver	Comments
>14 July 09	Jason Chabi	0.9	Initial working draft prepared by Colin Bowmaker with amendments to Life Members and updates to comply with Legislative requirements
14 June 15	Jason Chabi	1.0	Review of initial working draft with amendments as marked up herein.
28 June 15	Jason Chabi	1.1	Incorporate feedback from GRWG meeting held 28 June 2015
6 July 15	Jason Chabi	1.2	Further amendments to document to include managing Life Member votes in the event of equal votes, Member Protection and Social Media Policy..
29 March 16	Jason Chabi	1.3	Amendments to Affiliated Club's Working with Children Check compliance obligations.
19 July 16	Jason Chabi	1.4	Amend Member Protection requirements to reflect WWCC APP compliance requirement by Round 1 of the domestic competition. New provision relating to the CSJBA approving Club uniforms.
19 Jan 20	Jason Chabi	1.5	Amend to compliment newly developed BNSW adopted CSJBA Ethics, and Expectations Policy including Code of Conduct for Tournament and Representative Team Participation and now separated CSJBA Member Protection Policy
4 July 20	Jason Chabi	1.51	Grammatical corrections as identified by Mr. Colin Bowmaker

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1 Disciplinary Proceedings

1.1 Process for Disciplining Members

- 1.1.1 The governing body of the Cronulla Sutherland Junior Baseball Association Incorporated ("CSJBA"), has by ordinary resolution, passed these policy and procedures, pursuant to its Constitution so as to establish a procedure and protocol for the procedure for and, discipline of, Members alleged or found to have conducted themselves in a manner inconsistent with the CSJBA Rules, CSJBA Constitution or these Policies and Procedures.
- 1.1.2 The CSJBA may commence, or cause to be commenced, disciplinary proceedings against a Member, and that Member will be subject to, and submits unreservedly to the jurisdiction, procedures, penalties and appeal mechanisms of the CSJBA described in the Constitution and these procedures.
- 1.1.3 For the purposes of these policy and procedures the following definitions apply:
- a) Violations shall mean act of omission of a Member that amounts to:
 - i. a breach, failure, refusal or neglect to comply with the provisions of the Constitution, the Policy and Procedures or any resolution or determination of the Executive or any duly authorised Committee, or
 - ii. acting in a manner unbecoming of a member or prejudicial to the objects and interests of the CSJBA and/or the sport of baseball
 - iii. bringing the CSJBA or the sport of baseball into disrepute, or
 - iv. a breach of CSJBA Rules or the Rules of Baseball generally.
 - b) Executive shall have the same meaning as outlined in the CSJBA Constitution but generally means the committee of the governing body of the CSJBA to which reports of Violations shall be forwarded and which in the first instance, shall be entitled to make a determination, by way of a resolution requiring a majority ruling of the five (5) Member of the Executive, in relation to that Violation.
 - c) The Protests, Disputes and Judiciary Appeals Committee (PD&JAC) established pursuant to Article 13 of the Constitution and pursuant to the authority of the Executive under Article 6 of the Constitution to deal with reports of Violations referred to it by the Executive.
 - d) Appeal Tribunal shall mean the governing body of the CSJBA being Baseball NSW or such other representations as that governing body, by ordinary resolution or its chairman shall appoint.
- 1.1.4 All Violations, whether occurring during a game or detected by the CSJBA Recorder, ejections from games and umpire's reports, protests, or other objections shall be referred to the Executive. All such Violations shall be referred to the Secretary no later than 7.30pm on the Monday following the weekend or week in which the Violation, whether by detection by the Recorder, umpire's report, objection protest or otherwise, arose.
- 1.1.5 Within 48 hours following the receipt of the report of any Violation, the Executive shall meet to consider that report. The Executive may meet in person at the meeting where all those participating in the meeting are present in the company of each other, via telephone, email, electronically or other means of communication. A quorum shall be two or more members of the Executive, whose total number shall be chaired by the President or delegate, for the time being, of the CSJBA.
- 1.1.6 The Executive shall consider every report it receives of Violations and shall in the first instance make a determination in relation to that Violation, by resolution, and have the power to:
- a) Expel the Member from the Association
 - b) Suspend the Member from the Association, or
 - c) Take such other action and/or apply such penalty as may be determined from time to time.
- 1.1.7 Unless exempted by the CSJBA Executive, as provided to the member in writing issued by the Secretary of the CSJBA, a Member reported for a Violation may not participate in or attend any game, or in any team under the control of the CSJBA or affiliated bodies until such time as the matter has been heard, and a determination made, by CSJBA.
- 1.1.8 Any penalties imposed by the CSJBA Executive, the PD&JAC or Baseball NSW involving suspension from games, must be served on consecutive CSJBA or affiliated bodies' regular games, semi-finals, finals and grand finals of the team in which the suspended person is registered or indirectly associated. During this period the suspended person shall take no part in any other CSJBA regular season scheduled game, semi-final, final or grand-final.

- 1.1.9 When the Tribunal imposes a penalty based on a number of games, any games that that person may have been disqualified from playing in, prior to the Tribunal hearing shall be included in the number of games calculated for the penalty. Representative games for any CSJBA representative team, or other representative team, shall apply. Gala days, interclub challenges or other organised games shall not count against the number of games to which a person is suspended, but that person shall not be entitled to participate in those games. Washed out games and forfeits shall not count in the number of games to which a person is suspended.
- 1.1.10 A determination confirmed by the Executive or PD&JAC under the provisions herein will not take effect until the expiration of the period within which the Member is entitled to Appeal against the determination or where it is confirmed by the Member that they do not exercise the right of Appeal within that period.
- 1.1.11 Any event, incident, action, not specifically contemplated by this Constitution will be addressed and resolved by the CSJBA Executive in accordance with this Constitution.

1.2 Structure of the Protests, Disputes and Judiciary Appeals Committee (PD&JAC)

- 1.2.1 The PD&JAC will comprise of the Chairman appointed by CSJBA, one representative nominated from two (2) Affiliated Clubs, one (1) member of the Executive and one Umpire selected by the Chairman from a pool of three (3) umpires nominated by CSJBA or Umpires Association. A quorum for the Tribunal hearing will comprise the Chairman, two (2) representatives from Affiliated Clubs and one (1) member of the Executive.
- 1.2.2 Upon receiving a report from the Executive, the PD&JAC Chairman shall convene a meeting of the PD&JAC no later than two (2) weeks after having been notified of the Appeal.
- 1.2.3 On a report being forwarded to the PD&JAC Chairman by the Executive, the Secretary of the CSJBA shall also forward to the President or Secretary of the Club to which the person accused of the Violation is associated, the subject of the report, and notify them of the date and time of the meeting of the PD&JAC requiring the person the subject of the report to attend. Should the person who is the subject of the report, not appear or be unavailable at that date and time, the Tribunal hearing may be heard in the absence of that person or be adjourned to a time at which that person can attend at the sole discretion of the Chairman of the Tribunal.
- 1.2.4 In the proceedings or deliberations of the Executive or PD&JAC before the scheduled hearing date, all members of the Tribunal including the Chairman shall disclose to the other members of the Tribunal any interest they may have, or involvement in the events that gave rise to the report or otherwise have an interest or association with the person or team(s) involved in the incident
- 1.2.5 In the event of a disagreement or dispute between the PD&JAC members as to whether a particular member is eligible to participate in the deliberations or decisions of the PD&JAC, the PD&JAC shall conduct a vote to determine if that member should participate in the deliberations or vote on the decisions to be contemplated at the hearing. Where the members of the PD&JAC are unable to, or obviate their right to expel a member of the PD&JAC from a Tribunal hearing, the CSJBA Executive shall have the right to disqualify from a Tribunal hearing that member, or members it believes may have a conflict of interest.

1.3 Proceedings before the Executive or PD&JAC

- 1.3.1 When the person the subject of the report required to appear at a Tribunal Hearing before either members of the Executive or PD&JAC (herein after collectively referred to as "Tribunal") is notified of the date and time of the Tribunal Hearing, that person shall be:
 - a) supplied with a copy of the report or notification of the rule alleged to have been breached including details and particulars of the Violation in relation to which the Tribunal will enquire at its hearing.
 - b) required to appear before the Tribunal and answer the allegations made against them or, provide written submissions in support of their contentions or in answer to the allegations or in mitigation of any penalty that might otherwise be imposed. Any such written submissions need to be supplied to the Secretary of the CSJBA at the appointed date and time. Any submissions received after the commencement of the hearing shall only be taken into account, at the sole discretion of the President of the CSJBA or PD&JAC Chairman, both acting in the capacity of Chairman (herein after collectively referred to as "Chairman").
- 1.3.2 When the person who is the subject of the report required to appear at the Tribunal Hearing is notified of the date and time of the Tribunal Hearing, and following the receipt of a copy of the report or notification of the rule alleged to have been breached including details and particulars of the Violation, that person may elect to

make a plea of guilty to the relevant charge and then be subject to any penalty imposed, or previously imposed by the Tribunal in accordance with these Policy and Procedures.

- 1.3.3 Any person cited to appear before the Tribunal has the right to the Umpire or citing official's Incident Report or related correspondence from the CSJBA Secretary, at least 24 hours prior to their hearing.
- 1.3.4 In circumstances where the report being heard by the Tribunal is as a result of an ejection and report by an umpire, that umpire shall be requested to appear before the Tribunal and report as to the incidents and circumstances leading up to the ejection and the circumstances and considerations giving rise to the umpire's decision. The Tribunal shall be able to ask the umpire questions but otherwise, at the conclusion of the umpires report, the umpire shall be entitled to leave the Tribunal Hearing.
- 1.3.5 Persons required to appear and answer a report before the Tribunal shall appear in person and:
 - a) provided notification is provided in writing to the Secretary of the CSJBA seven (7) days prior to the scheduled Tribunal Hearing, are entitled to be legally represented. Where less the seven (7) days notice is provided to the Secretary of the CSJBA, the Tribunal reserves the right to reschedule the Tribunal Hearing by up to seven (7) days; and
 - b) with the exception of 1.20(a), may not be represented by any person except in circumstances when the person required to appear is under the age of eighteen (18) years of age requiring:
 - i. that person to be accompanied by their parent or legal guardian, or other adult nominated by the parent or legal guardian,
 - ii. written confirmation of such authorisation and nomination supplied to the Chairman of the Tribunal prior to the commencement of the hearing.
- 1.3.6 Where the Tribunal passes a resolution as provided for under these Policies and Procedures, the CSJBA Secretary shall, within seven (7) days, by notice in writing, inform the Member of the resolution and their right of recourse to the Appeal Tribunal.
- 1.3.7 It is a requirement that any Member reported to the Executive or PD&JAC for a Violation appear at a time and place advised by the CSJBA Secretary, if summoned to do so.
- 1.3.8 On the convening of the meeting of the Tribunal, the Chairman shall invite the person against who the report is made of the Violation to attend before the Tribunal and the Chairman shall read a copy of the report of the Violation made against that person.
- 1.3.9 The person against whom the report is made will then be asked whether they agree or disagree with the report read by the Chairman. In circumstances where the person or that person's representative:
 - a) agrees with the report, that person or their representative may then make submissions or representations in mitigation of any penalty the Tribunal might impose. The Tribunal may ask that person questions or otherwise enquire as to the circumstances involved in the alleged rules Violation; or
 - b) disagrees with the report read by the Chairman, then that person or their representative may make representations or submissions in their defence and the Tribunal, shall be entitled to ask questions and enquire as to events surrounding the circumstances giving rise to the report of the alleged rule violation.
- 1.3.10 Upon conclusion of the submissions and the questions by the Tribunal, the Chairman shall adjourn the proceedings whereby the person and his or her representative shall leave the room and the Tribunal shall deliberate on its decision verbally or by secret ballot, as required. Upon reaching a decision, and in the presence of the person against whom the report has been made, the Chairman shall deliver the decision and the penalty imposed, if any.
- 1.3.11 The person against whom a report has been made shall be entitled to bring any other person whom may give material evidence, facts or submissions to the Tribunal to also address the Tribunal and answer questions raised by the Tribunal, if any. If the Chairman of the Tribunal determines that the evidence or facts that the particular witness(s) may give is or are irrelevant or will not assist the Tribunal in its deliberations, then that person shall not be entitled to give material evidence or facts or submissions to the Tribunal.
- 1.3.12 If the person against whom a report has been made, elects to appear before the Tribunal upon being required to do so, in lieu of providing written submissions and does not appear at the Tribunal, the Chairman can determine that the Tribunal can proceed to hear the report of the Violation against that person in that person's

absence and as such, the Tribunal will be entitled to make a decision and determine the penalty imposed, if any.

- 1.3.13 Any penalty imposed on the person against whom the report is made upon the report being proven, shall be in accordance with the Penalties outlined in the CSJBA Rules.
- 1.3.14 Any penalty imposed on the person against whom the report is made upon the report being proven, shall be binding on all members of the CSJBA.
- 1.3.15 Any penalty imposed relating to a period of suspension shall state the actual number of games or period of time to which the suspension relates and must be served in accordance with sections 1.7, 1.8 and 1.9 stated herein.
- 1.3.16 If the Tribunal determines that a penalty should be imposed, upheld, withdrawn or increased, the Chairman shall advise the person against whom the report is made:
 - a) the exact number of games in which that person is unable to participate or, if the penalty is to be for a period of time, the start and end date of such disqualification, or any other penalty that may be determined by the Tribunal from time to time;
 - b) the right of appeal and notification of the deadline of the period in which such appeal can be lodged noting in this instance, the Appeals Tribunal only has jurisdiction to hear appeals that are accompanied by new and substantial evidence that was not available before the Tribunal, as provided for in section 1.39 herein.

1.4 Process of Appeal before the PD&JAC or Baseball NSW Tribunal

- 1.4.1 A person found guilty of a Violation by the Executive or PD&JAC, as the case may be, may lodge an appeal with the Secretary of CSJBA in respect of the decision and/or penalty within seven (7) days of receipt of the notification of the Executives determination, that must also be accompanied by an appeal fee of fifty dollars (\$50) to be electronically transferred to CSJBA's nominated bank account.
- 1.4.2 Where an appeal is lodged:
 - a) a meeting of the PD&JAC will be called as soon as possible but not more than seven (7) days after the receipt of the appeal to the CSJBA. Decisions of the Tribunal are final and binding; or
 - b) a meeting of the Baseball NSW Tribunal, where deemed appropriate by BNSW, as soon as possible after receipt of the appeal to the CSJBA, subject to Baseball NSW' policy and process guidelines.
- 1.4.3 Upon receipt of an appeal properly lodged within the appeal period, the Secretary of CSJBA shall notify the Appellant of the date and time for the hearing of the appeal. If the Appellant is not available to appear in person at the date and time set by the Tribunal for the hearing of that appeal, the appeal shall be heard in the Appellant's absence.
- 1.4.4 The Tribunal shall have the power to uphold or dismiss the appeal and the power to vary the terms of any penalty imposed.
- 1.4.5 An appeal may be lodged against a finding that the Violation is proven or the severity of the penalty imposed, by the Tribunal.
- 1.4.6 An appeal under these Policy and Procedures to the Tribunal, against any decision of the Tribunal shall require the submission of new and substantial evidence which was not before:
 - a) the Executive when making its determination in the absence of a hearing, or
 - b) the Tribunal at its hearing, in support of such appeal.
- 1.4.7 If the Tribunal is of the view that insufficient new and substantial evidence is provided, it shall dismiss the appeal without hearing. Any person suspended as a result of any penalty imposed by the Tribunal shall not be entitled to participate in any games pending the appeal and decision of the Tribunal.
- 1.4.8 Proceedings before the Tribunal shall be conducted in the same manner, and in the same procedure as provided in these Policy and Procedures provided that the right to produce evidence, call witnesses or make submissions shall only relate to the new and substantial evidence produced and lodged in support of the appeal.

2 Life Members

- 2.1.1 Pursuant to section 31 of the CSJBA Constitution, the rights, obligations and voting rights of Life Membership is prescribed by these Policy and Procedures. A member is qualified for Life Membership if, and only if:
- a) the nomination for Life membership is presented by one (1) current member Club and/or Life member in writing to the Secretary one (1) calendar month prior to the Annual General Meeting and;
 - b) the nomination is first recommended by the Executive and following such recommendation is then conferred by a seventy-five percent (75%) majority of the combination of the Executive, delegates of member Clubs and Life Members of the Association, who are present at the Annual General Meeting and;
 - c) any such member so nominated shall have had not less than five (5) completed years continuous service or seven years (7) broken service to the Association itself, and fulfilling any other such criteria as provided for in the Policy and Procedures.
- 2.1.2 A Life Member shall be entitled to participate in the management of the Association, debate issues at meetings and participate in any sub-Committees, and without paying the annual subscription or any special payment to the CSJBA, if any.
- 2.1.3 Life Members, who subject to the Constitution, may attend and debate at General Meetings, shall have no more than a total of three (3) rights to vote at General Meetings that may be submitted in person or via proxy noting:
- a) Where more than three (3) votes are received in total, Life Member votes will be tallied, and majority vote determined and the block of three (3) votes counted accordingly; or
 - b) Where in executing 1.5.3(a) above results in an equal number of votes for and against, a second vote by way of a ballot, including proxy votes, will be conducted with the Chairman or Returning Officer, as the case may be, drawing one (1) vote from the ballot box to determine the block vote.

3 Attendance of Delegates at General Meetings

3.1.1 Where an Affiliated Club is not represented by at least one of its Delegates or their proxies, that Affiliated Club shall be liable to pay a fine of:

- a) twenty dollars (\$20) for the first offence,
- b) fifty dollars (\$50) for the second offence; and
- c) one-hundred dollars (\$100) for the third and subsequent offences

in a single season spanning 1 June to 30 May.

4 Committees and Functions

4.1 Grading Committee

4.1.1 Pursuant to sections 30 and 31 of the CSJBA Constitution, the Executive of the CSJBA has established, by Delegation in writing, a duly constituted Committee from its members herein after called the “Grading Committee”.

4.1.2 The function of the Grading Committee is to:

- a) create a functional structure which allows players to play junior baseball, including modified games, which will challenge and develop players;
- b) to provide a level of competition that is suited to the skills of a majority of players in a team; and
- c) to conduct a regrading process of teams between rounds (3) and five (5) of the CSJBA competition.

4.1.3 The grading process will ensure that each Affiliated Club is given the maximum opportunity to provide input on grading matters relating to their Club through consultation, discussion and communication with the Grading Committee.

4.1.4 The guiding principles will be to establish competitions, where possible, with not less than six teams and providing multiple skill Divisions in each age group.

4.1.5 The Grading Committee will be established consisting of:

- a) a Grading Coordinator appointed by the Executive of CSJBA;
- b) an Executive representative appointed from within the current Executive;
- c) a representative Coach from the current representative program;
- d) two (2) or more Affiliated Club members appointed by a vote of the general Committee; and
- e) the CSJBA Secretary will hold a non-voting position on the Committee, unless fulfilling the obligations under section 4.1.5(b) herein.

4.1.6 Where possible the duplication of Affiliated Clubs represented on the Grading Committee should be avoided.

4.2 Rules Committee

4.2.1 Pursuant to sections 30 and 31 of the CSJBA Constitution, the Executive of the CSJBA has established, by delegation in writing, a duly constituted Committee from its members herein after called the “Rules Committee”. The function of the Rules Committee is to:

- a) review the CSJBA rules for junior baseball prior to each season;
- b) seek input from Affiliated Clubs as to suggested amendments to the rules;
- c) collate a unified response to present to delegates for ratification; and
- d) amend the rules accordingly prior to the commencement of the season

4.2.2 The Rules Committee will be established consisting of:

- a) a Rules Coordinator appointed by the Executive of CSJBA;
- b) an Executive representative appointed from within the current Executive;
- c) a representative Coach from the current representative program; and
- d) two (2) or more Affiliated Club members appointed by a vote of the general Committee

4.3 Protests, Disputes and Judiciary Appeals Committee

4.3.1 Pursuant to sections 30 and 31 of the CSJBA Constitution, the Executive of the CSJBA has established, by Delegation in writing, a duly constituted Committee from its members herein after called the “Protests, Disputes and Judiciary Appeals Committee” (PD&JAC”). The function of the PD&JAC is to:

- a) Advise the Executive of any event, matter or thing which in its opinion represents a breach or possible breach of the Constitution or these Policy and Procedures including any irregularity it may detect.
- b) Officiate and administer the Appeals process as outlined in these Policy and Procedures; and
- c) Advise the Executive and report to it, and not to communicate opinions or findings direct to other Members. In reviewing any matter under the Constitution or performing the role set out in the Constitution, the PD&JAC shall only have such powers as are provided herein or in the Constitution or as otherwise granted to the Executive from time to time.

5 Intellectual Property

5.1.1 The:

- a) Shark device (“logo”) exhibited below;
- b) the name “Cronulla Sutherland Junior Baseball Association”; or
- c) abbreviated version “CSJBA”

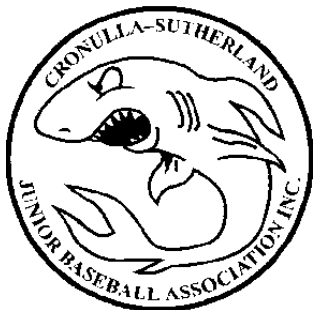
shall not be used in any other company name, product name, service name, domain name, website, publication title, or the like, nor will it be applied to apparel, merchandise or any other physical item without prior express written consent from the Secretary of the CSJBA.

5.1.2 A written application to use the logo must be submitted by email to csjbasecretary@gmail.com stipulating the items, and quantity of items the logo is intended to be applied. Upon receipt, the CSJBA Executive will review the application and respond within three (3) business days. Where approval is granted by the CSJBA Executive, the applicant acknowledges that the:

- a) subsequent use of the logo on anything other than that stipulated in the initial written request will require a further written request in accordance with this rule.
- b) logo must not be imitated or used as a design feature in any manner.
- c) logo must not be used in a manner that would disparage the CSJBA or its Members.
- d) CSJBA reserves the right to request a production proof of any proposed application of the logo prior to issuing final approval.

5.1.3 Non-CSJBA materials should not mimic any CSJBA activities or make representations that they are endorsed by the CSJBA without the prior express written consent from the Secretary of the CSJBA.

Shark Device Logo Exhibit Mono



Shark Device Logo Exhibit Full Colour

