

BASEBALL ASSOCIATION OF WESTERN PROVINCE

B A W P

CONSTITUTION AND BYE-LAWS

PREAMBLE

Resolving to constitute the members of the

**CAPE DISTRICT BASEBALL UNION,
MITCHELL'S PLAIN BASEBALL UNION,
WESTERN PROVINCE BASEBALL ASSOCIATION,
and the
WESTERN PROVINCE BASEBALL UNION**

into an indissoluble single organisation known as the

BASEBALL ASSOCIATION OF WESTERN PROVINCE

**and under the constitution hereby established to
promote and control Baseball in the Western Province.**

BASEBALL ASSOCIATION OF WESTERN PROVINCE

ARTICLES OF CONSTITUTION

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BASEBALL ASSOCIATION OF WESTERN PROVINCE

ARTICLES OF CONSTITUTION

1. NAME

The name of the organisation shall be the

BASEBALL ASSOCIATION OF WESTERN PROVINCE

hereinafter referred to as the Association.

2. DEFINITIONS

In the interpretation of this Constitution, the following shall apply:

- 2.1. Except where the context forbids, words implying males shall include females and the words implying the singular shall include the plural and vice versa.
- 2.2. The term "article" shall mean the singular and/or plural of article, clause, sub-clause and paragraph of this Constitution.
- 2.3. The term "year" when not used in context of a financial year, shall mean the period between consecutive Annual General Meetings.
- 2.4. The term "General Meeting" shall mean the meeting of accredited Delegates mandated to represent the Members and is by implication the highest authority of the Association. The term can either be qualified to be the Annual General Meeting which shall be a General Meeting held once a year, or a Special General Meeting which shall be a General Meeting convened for specific and specified reason(s). The meaning of the terms "Delegates" and "Members" shall be as described in this Constitution.

3. COLOURS AND EMBLEM

- 3.1. The colours shall be royal blue and white.
- 3.2. The emblem shall be the Disa as approved by the Western Province Rugby Football Union the use of which shall be determined by the senior Executive Body of the Association.

4. OBJECTS

The Association shall be a non-profit making sports organisation that operates for the benefit of its Members in accordance with its approved Constitution and Bye-laws.

The objects of the Association shall be:

- 4.1. To uphold, regulate and control the game of baseball in the Western Province and to maintain a spirit of goodwill amongst all persons interested therein.
- 4.2. To advance the interest of baseball in the Western Province.
- 4.3. To affiliate to the South African Baseball Union (SABU).
- 4.4. To support and maintain the Rules of the game of baseball as adopted by SABU.
- 4.5. To arrange games; organise facilities for the training of players, coaches, umpires and scorers; act as a board of appeal; receive, raise, invest and administer with or without security, moneys or funds, acquire or dispose of property or other assets as may be determined from time to time in General Meetings.
- 4.6. To do all things that may directly or indirectly be conducive to these objects.

5. POWERS

The Association shall have the power:

- 5.1. To engage staff, acquire assets and enter into commitments for the promotion of its aims and objectives.
- 5.2. To enter into donor funding arrangements with companies or individuals and to solicit and accept fees, donations, bequests, contributions and subscriptions for the funds of the Association, provided however, that the Association shall ensure that no donor will derive any monetary advantage from any moneys paid to or on behalf of the Association.
- 5.3. To take on lease, purchase or otherwise acquire premises, equipment, vehicles, furniture and other property or assets, whether movable or immovable which may be deemed necessary or convenient for any of the purposes of the Association and in order to provide suitable equipment, accommodation and facilities.
- 5.4. To improve, manage, exchange, lease, mortgage, sell, dispose of, turn to account and grant options, rights and privileges in respect of, or otherwise deal with, all or any part of the property and rights of the Association.
- 5.5. To deposit or invest the moneys and assets of the Association not immediately required, in such securities and in such a manner as may from time to time be determined, provided that cash resources and investments will only be made with Financial Institutions as defined in Section 1 of the Financial Institutions (Investment of Funds) Act of 1984 as amended or substituted from time to time and where applicable.

- 5.6. To borrow or raise money in such manner as the Association shall deem fit and in particular to secure the payment of any money so borrowed by means of mortgage, pledge, charge or lien upon the whole or part of the Association's property or assets; and also by mortgage, pledge, charge or lien to secure and guarantee the due performance by the Association of any obligation or liability it may undertake.
- 5.7. To operate banking accounts and to draw, make, accept, endorse, sign, discount, execute and issue cheques, promissory notes, bills of exchange, bills of lading, warrants, debentures and other negotiable documents.
- 5.8. To make rules, to adopt Bye-laws and/or to pass resolutions which shall not be inconsistent with the terms of the Constitution.
- 5.9. To select teams for representative matches at all levels, to arrange tours or tournaments, to sanction matches and to regulate the transfer of players between affiliated Clubs within the area of jurisdiction of the Association and to regulate the transfer of players to and from other regions or Provinces.
- 5.10. To inquire into the administration and/or financial affairs of an affiliated Member.
- 5.11. To appoint such standing-committee(s) and/or sub-committee(s) upon such terms as it may consider necessary to give effect to its powers.
- 5.12. To reprimand, suspend or fine a member of an affiliated Member; or to reprimand, suspend, fine, terminate the Membership of, or otherwise deal with any Member of the Association for infringing the Constitution, rules, policies, principles and resolutions of the Association or for engaging in acts of misconduct, improper practices, misdemeanour, acts of defiance or bringing the Association into disrepute.

6. AUTHORITY

- 6.1. The supreme authority of the Association shall be the collective Membership of the Association as set out in article 7 hereof assembled in a duly constituted General Meeting.
- 6.2. The legislative and administrative structure of the Association shall consist of:
 - 6.2.1. The Annual General Meeting as provided in article 9.1 hereof.
 - 6.2.2. The Special General Meeting as provided in article 9.2 hereof.
 - 6.2.3. The Executive Committee Meeting as provided in article 9.3 hereof.
 - 6.2.4. The Standing-committee(s) and Sub-committee(s) as provided in articles of the Constitution or in the Bye-laws as appended.
- 6.3. In the absence of a specific limit placed on the powers of the Executive Committee of the Association by a General Meeting, the Executive Committee shall have full authority to exercise the powers as set out in article 5 above.

Aside from that which has explicitly been reserved by articles in this constitution, the following specific limit(s) have been placed on the powers of the Executive Committee:

- 6.3.1. The Executive Committee may not incur a single liability in excess of seventy five thousand Rand (R75000) without prior approval by a General Meeting.
- 6.4. The Executive Committee shall manage the affairs of the Association on behalf of the Association in such a manner as it may fit and be expedient provided their administration shall not be in conflict with the Constitution and Bye-laws of the Association.

7. MEMBERSHIP

- 7.1. The Association shall consist of:
 - 7.1.1. Affiliated Members (Affiliates), being;
 - 7.1.1.1. Affiliated Clubs, which shall be constituted for the purpose of furthering the interest and for the playing of baseball in the Western Province.
 - 7.1.1.2. Affiliated Associations, which shall be constituted for the purpose of furthering the interest of baseball in a special sphere of baseball activities in the Western Province. Only one (1) organisation in each such sphere may be a Member of the Association.
 - 7.1.2. The Office-bearers and Life Members of the Association for the time being.
- 7.2. Membership shall, subject to the approval of the Association, be open to clubs playing baseball or to organisations involved with baseball in the area of jurisdiction of the Association:
 - 7.2.1. Application for Membership as per articles 7.1.1.1 and 7.1.1.2 respectively shall be made in writing and reach the Administrative Secretary by no later than thirty (30) days prior to a General Meeting.
 - 7.2.2. The Application shall be accompanied by a list of all its members, a copy of its Constitution, its colour(s) and emblem(s) and the prescribed fee(s) where applicable.
 - 7.2.3. Applications for affiliation shall be considered only on the recommendation of the Executive Committee at a General Meeting of the Association and shall be approved by a majority two-thirds (2/3) vote of the votes of the Delegates present and entitled to vote at such a Meeting.
 - 7.2.4. In the event of any application for affiliation being refused, the prescribed fee(s) will be refunded.

- 7.3. Life Membership may be conferred on any person, for distinguished service to baseball in the Western Province, at a General Meeting on recommendation by the Executive Committee.
- 7.4. The Membership of any Affiliated members or individual members may only be terminated by a majority two-thirds (2/3) vote of the votes of the Delegates present and entitled to vote at the Special General Meeting convened for that purpose.
- 7.5. A new Club seeking affiliation may have no more than twenty-five percent (25%) of either gender of an existing club's registered senior or junior membership.

8. OFFICE-BEARERS

- 8.1. The Office-bearers of the Association who shall constitute the Executive Committee of the Association shall consist of:

8.1.1. Elected Office-bearers

- The President,
- Vice President,
- Administrative Secretary,
- Recording Secretary,
- Treasurer,
- Fixtures Officer,
- Results Officer,
- Registrar,
- Grounds Officer,
- Coaching Officer,
- Development Officer,
- Public Relations Officer, and;

8.1.2. Nominated Office-bearers

Being the chairman of the;

- Western Province Baseball Umpires Commission,
- Western Province Junior Baseball Commission,
- Western Province Baseball Scorers Commission.

- 8.2. All elected positions of office shall be filled by an election process as described in article 13 hereof.
- 8.3. All Elected Office-bearers shall be elected for a period of two (2) years.
- 8.4. In addition to the provision of article 9.5 hereof an elected Office-bearer may only be removed from office by a majority two-thirds (2/3) vote of the votes of the Delegates present and entitled to vote at the Special General Meeting convened for that purpose.

9. MEETINGS

9.1. Annual General Meeting

9.1.1. The Annual General Meeting shall be held on or before the Friday of the last week in July, at such time and place as determined by the Executive Committee.

9.1.2. At least forty-five (45) days preliminary notice of the pending Annual General Meeting shall be forwarded to all Members soliciting nominations of Elected Office-bearers and proposed modifications to the Constitution and/or Bye-laws.

The final notice together with;

- The agenda,
- The collated list of nominated Elected Office-bearers,
- The collected and verified changes to the Constitution and/or Bye-laws if any,
- A statement of the financial affairs of the Association,
- A copy of the Annual Reports, and
- Any other relevant information;

shall be posted to all Members not later than twenty-one (21) days before the due date of the Annual General Meeting.

9.1.3. The President of the Association shall chair the Annual General Meeting. In the absence of the President, the Executive Committee shall appoint a chairman from amongst its members.

9.1.4. Observers and the Press may attend the Annual General Meeting but may not sit with the Delegates or take part in the proceedings unless allowed to do so by the Chairman. In the event of the meeting going into Committee, the Chairman may request the Observers and the Press to withdraw.

9.1.5. The business of the Annual General Meeting shall be proceeded with in the following order:

- (i) To receive Delegates' credentials and to record voting strength.
- (ii) To read and confirm the minutes of the previous Annual General Meeting.
- (iii) To read and confirm the minutes of previous Special General Meetings, if any.
- (iv) To read and confirm the Annual Reports.
- (v) To read and confirm the Financial Statements.
- (vi) To amend, modify or amplify articles in the Constitution in terms of article 22.
- (vii) To amend, modify or amplify rules or Bye-laws to the Constitution in terms of article 21.

- (viii) To elect Office-bearers for the ensuing year.
- (ix) To elect members of Committee(s) for the ensuing year.
- (x) To appoint Auditors.
- (xi) To consider applications from new Clubs and/or Associations recommended for affiliation.
- (xii) To consider any other competent business as enumerated in the notice of the Meeting.

9.2. Special General Meeting

9.2.1. A Special General Meeting shall be convened:

9.2.1.1. By the Executive Committee as may be deemed expedient.

9.2.1.2. By the Administrative Secretary of the Association specifying the object(s) of the Meeting within one (1) calendar month from receipt of a written request supported by at least three (3) affiliated Members.

9.2.2. A preliminary notice soliciting relevant information should be forwarded to all Members thirty (30) days before a proposed Special General Meeting if such Meeting requires collective input from the Members. Any epistle in response thereto shall be received by the Administrative Secretary at least twenty-one (21) days prior to the Meeting for input in the final notice.

At least fourteen (14) days notice of every Special General Meeting specifying the object(s) of the Meeting shall be forwarded to all Members.

9.2.3. The object(s) discussed at any one Special General Meeting may not be discussed again at any subsequent Special General Meeting in the same year.

9.2.4. The Chairman, the qualifications of the Delegates, the voting powers and the quorum of Special General Meetings shall be the same as laid down for the Annual General Meeting, but only the specific object(s) for which the Meeting has been called shall be discussed.

9.3. Ordinary General Meeting

9.3.1. An Ordinary General Meeting shall during the season be held on or before the last Thursday of the month, at such time and place as determined by the Executive Committee. During the off-season such Meetings shall be called only if so deemed necessary by the Executive Committee.

9.3.2. Attendance of an Ordinary General Meeting shall be obligatory.

9.3.3. At least fourteen (14) days written notice of every Ordinary General Meeting specifying the meeting particulars and the agenda, denoting any extraordinary object(s) for debate at the Meeting, shall be forwarded to all Members. The notice shall include the minutes of the previous Ordinary General Meeting.

- 9.3.4. Object(s) pertaining to an election process or changes to the Constitution and/or Bye-laws shall not be tabled at any Ordinary General Meeting.
- 9.3.5. Any Special General Meeting called shall precede an Ordinary General Meeting if scheduled for the same day.
- 9.3.6. The minutes of previous Ordinary General Meeting(s), if any, shall be confirmed at a subsequent Ordinary General Meeting.
- 9.3.7. The Chairman, the qualifications of the Delegates, the voting powers and the quorum of Ordinary General Meetings shall be the same as laid down for the Annual General Meeting.
- 9.3.8. Only the specific object(s) for which the Meeting was called should be discussed. Objects relating to urgent matters, arising after the Notice as per article 9.3.3, may be added to the agenda at the discretion of the Executive Committee.

9.4. Executive Committee Meeting

- 9.4.1. The Executive Committee shall meet at least once each calendar month at a time and place as designated by the Administrative Secretary. Any matters to be discussed shall be advised to the members prior to the meeting.
- 9.4.2. No voting by proxy shall be allowed at any Executive Committee Meetings.

9.5. Failure to Attend Meetings

- 9.5.1. A member of the Executive Committee and other committees failing to attend three (3) consecutive meetings, without an adequate reason, shall be deemed to have vacated his seat automatically and shall be advised by registered post of the termination of his membership of such committee.

10. DELEGATES

The Delegates to a General Meeting shall consist of:

- 10.1. Two (2) representatives from each affiliated Club in terms of article 7.1.1.1 above.
- 10.2. One (1) representative from each affiliated Association in terms of article 7.1.1.2 above.
- 10.3. The Office-bearers and Life Members of the Association for the time being in terms of article 7.1.2 above.

11. VOTING

Voting at General Meetings shall proceed as follows:

- 11.1. Affiliated Clubs shall be entitled to three (3) votes each.

- 11.2. Affiliated Associations shall be entitled to one (1) vote each in the case of the election of Office Bearers, but shall form part of the Executive Committee when it comes to voting on policy matters..
- 11.3. Office-bearers shall be entitled to one (1) vote in the case of the election of Office Bearers, but the Executive Committee shall be entitled to three (3) votes en bloc in the case of policy matters..
- 11.4. All votes of affiliated Clubs shall be vested in one (1) Delegate.
- 11.5. No Office-bearer may be delegated to represent an affiliated Member.
- 11.6. All the business, except that which has explicitly been excluded by articles in this constitution shall be decided upon by a simple majority of the votes of the Delegates present and eligible to vote, and in the case of an equality of votes, the Chairman shall have a second or casting vote.
- 11.7. The decision of the meeting shall be ascertained by a show of hands, or by a ballot if so requested by any Delegate present.
- 11.8. No voting by proxy shall be allowed at any meetings of the Association.
- 11.9. Delegates, of affiliated Clubs which are under suspension or which are not in good financial standing as per the financial statements issued, may attend Meetings of the Association but shall not be eligible to vote.

12. QUORUM

- 12.1. The quorum at any meeting in terms of article 9 above shall be fifty percent (50%) plus one (1) of the Membership, excluding Life Members, as required to be at that meeting.
- 12.2. Should no quorum be present within thirty (30) minutes of the advertised time of a meeting such meeting shall be adjourned to a date to be fixed by the Administrative Secretary of the Association. Should a quorum still not be obtained at the adjourned meeting, the meeting shall proceed and decisions taken at such meeting shall be binding.
- 12.3. The quorum at any special-, standing-, or sub-committee meeting shall be the next highest integer to fifty percent (50%) of the members as required to be at that meeting unless stated to the contrary elsewhere in this Constitution or in the Bye-laws of the Association.

13. ELECTIONS

13.1. Executive Committee

- 13.1.1. Elections shall be held at the Annual General Meeting or, if a vacancy occurs, at any Special General Meeting of the Association.

- 13.1.1.1. The Executive Committee will serve for a period of two (2) consecutive years.

13.1.2. Any natural person shall be eligible for election to any elected position of office whether or not such person is an accredited Delegate of an affiliated Member. Provided that no person shall be eligible for election to any position of office if he is not present at the Meeting when the election takes place or he has not indicated in writing his willingness to accept such position of office.

13.1.3. The nomination of the Elected Office-bearers as provided in article 8.1.1 hereof, shall be submitted in writing for each specific position of office forwarded by the Executive Committee in office or by any affiliated Member to reach the Administrative Secretary of the Association not later than thirty (30) days before the General Meeting.

All such nominations shall be supported by a written acceptance of the nomination by the nominee. The list of such nominations which have been accepted in writing shall be forwarded to all Members not later than twenty-one (21) days before the General Meeting. The notices shall be processed in accordance with article 9.1.2 hereof.

13.1.4. In the event that no nominations had been received for a specific position of office then nominations for that position of office may be accepted, at a General Meeting, from the floor. These nominations shall be duly proposed and seconded and the nominee shall verbally accept.

13.1.5. All the Elected Office-bearers of the Executive Committee in office for the time being shall be eligible for re-election and shall be deemed to have accepted nomination for re-election to positions held by them unless specifically stated to the contrary in the Notice convening the Annual General Meeting as provided for in article 9.1.2 above.

13.1.6. Any vacant Elected Office-bearer position of office, which may arise for any reason whatsoever, may be filled at any subsequent General Meeting subject to the terms and conditions contained in article 13.1.3 above.

If this position is however, not filled at that General Meeting then the Executive Committee may, at its sole discretion, co-opt a person for the unexpired term of the vacant office. This co-opted member shall be an Office-bearer and shall be bound by the Constitution and Bye-laws of the Association.

13.2. Standing- and Sub-Committee

13.2.1. All the conditions as per article 13.1 above for the election of Elected Office-bearers shall equally apply to the election of members to the standing- or sub-committees as provided for in this constitution and the Bye-laws of the Association.

Provided further that the specific conditions as described below shall apply to the election of standing-committee members.

- 13.2.2. A Special General Meeting shall be held within the first two (2) weeks of September of each calendar year to elect members to the following standing-committees:
- (i) Disciplinary Committee.
 - (ii) Competitions Committee.
 - (iii) Protest Committee.
 - (iv) Senior Selection Committee.
 - (v) Under 21 Selection Committee.
 - (vi) Grounds Committee.
 - (vii) Entertainment Committee.
- 13.2.3. The aforesaid standing-committees shall be constituted and shall function in accordance with the provisions of this constitution or as provided for in the Bye-laws of the Association.
- 13.2.4. No more than two (2) members of the Executive Committee in office shall serve on any one (1) of the aforesaid standing-committees unless stated to the contrary in this constitution or the Bye-laws of the Association.

14. FINANCE

- 14.1. The financial year of the Association shall commence on 1 May and close on 30 April of the following year.
- 14.2. All moneys received by the Treasurer shall be deposited by him in the Association's current bank account within three (3) business days from date of receipt.
- 14.3. The Treasurer shall keep true accounts of all receipts, payments, assets and liabilities of the Association and of all other matters necessary for showing a true reflection of the financial position of the Association.
- 14.4. The books of account shall be kept in such books and in such manner as the Association in consultation with the Auditor deems necessary and shall be handed to the Auditor for auditing as soon as possible after the end of the financial year of the Association.
- 14.5. Statements in respect of moneys due to the Association shall be posted to affiliated Members or other debtors by no later than the tenth (10th) day of each month and shall be due and payable within thirty (30) days from the date of the statement.
- 14.6. Annual fees payable to the Association by affiliated Clubs in terms of article 7.1.1.1 hereof, shall in addition to Club registration, be based on the number of teams and players registered and entered into leagues under such terms and conditions as set out in the Bye-laws as appended. An Automatic suspension shall be in force if the affiliated Clubs fail to pay the Annual fees to the Association by the given date as per the Bye-laws as appended.

- 14.7. The duly audited statement of the financial affairs of the Association shall be tabled at a Special General Meeting which shall be held on a date fixed to be within the first four (4) months period of each financial year of the Association, at a time and place determined by the Executive Committee of the Association.

15. FORCE OF RESOLUTIONS

- 15.1. The admission to any category of Membership of the Association shall be deemed as a tacit agreement by such Member that all Members shall be bound by, shall enjoy all privileges, shall be subject to all responsibilities and shall submit to the authority as provided for in the Constitution and Bye-laws of the Association. It shall be deemed that all members of an affiliated Member are acquiesced to this principle.
- 15.2. Resolutions and decisions of the Association shall be binding on the Membership of the Association.
- 15.3. All affiliated Members shall forward a copy of their constitutions as amended from time to time to the Administrative Secretary of the Association. Such constitutions shall not be inconsistent with this constitution.

16. LEGAL PERSONALITY

- 16.1. The Association shall be a body with legal rights capable of suing and being sued and no member shall have any right to its assets, nor, liability for its obligations.
- 16.2. The Association will not accept liability for any injuries sustained by any Member, player, official or spectator, caused during the practice or performance of a game of baseball within its jurisdiction or otherwise.
- 16.3. The Association will not accept liability for theft, damage or injury to the property of any Members, players, officials or spectators committed within its jurisdiction or otherwise.
- 16.4. The Association may act as arbitrator if called upon to do so by any affiliated Member or member thereof, in deciding upon disputes advised to it in writing by such aggrieved parties.

17. JURISDICTION

- 17.1. The Association shall have jurisdiction over all affiliated Members and their players, officials and members.
- 17.2. Every affiliated Member shall be responsible to the Association for the action of its players, officials and members and such persons shall at all times observe the rules, regulations and Bye-laws of the Association.

18. CODE OF ETHICS

- 18.1. Notwithstanding anything herein contained, no player shall receive any remuneration directly or indirectly and from whatsoever source, for joining any affiliated Member, for the involvement in any activities of the baseball fraternity, or for participating in any match, other than bona fide expenses and disbursements.
- 18.2. Any player or affiliated Member contravening article 18.1 shall be guilty of an offence and liable to be dealt with in terms of article 5.12 above.

19. APPEAL BOARD

- 19.1. The Executive Committee of the Association shall constitute the Appeal Board.
- 19.2. One (1) written copy of the appeal, together with the prescribed deposit for an appeal as per Schedule "A" of the Bye-laws attached hereto, shall be lodged with the Association within fourteen (14) days of the decision of the Disciplinary Committee appealed against.
- 19.3. A decision of the Disciplinary Committee, which is appealed against, shall not be suspended pending the hearing of an appeal unless the Appeal Board so decides.
- 19.4. The Appeal Board shall have the power to vary or reverse the decision under appeal and shall have the power to award costs.
- 19.5. The deposit shall be refunded if the appeal succeeds. If the appeal fails or is withdrawn, the fee for an appeal shall be forfeited to the Association.
- 19.6. No appeal shall be entertained from any party who has refused to appear before the Disciplinary Committee and whose decision is the subject of the appeal.
- 19.7. The decision of the Appeal Board may be subject to an appeal to SABU.

20. REVIEW AND RESCISSION OF RESOLUTIONS

- 20.1. Affiliated Members shall have the right to propose a motion to review and rescind any resolution of the Association. Provided that no decision may be reviewed more than once in the same year.

- 20.2. Notice of such proposal may be given at the meeting at which such resolution is passed but it shall be confirmed and supported in writing within fourteen (14) days on pain of lapsing.
- 20.3. Written request(s), supported by at least three (3) affiliated Members, to review and rescind any resolution shall be forwarded to reach the Association. The Administrative Secretary shall then convene a Special General Meeting as provided in article 9.2 hereof.
- 20.4. A resolution shall only be rescinded if passed by a majority two-thirds (2/3) vote of the votes of the Delegates present and entitled to vote.
- 20.5. Upon the rescission of a resolution the Association shall have the power to pass a fresh resolution if it deems fit.

21. BYE-LAWS

Bye-laws covering competitions, registration of players, affiliation of clubs and organisations, subscriptions, conduct of players and officials, admission to fields, tours, tournaments, playing rules, colours and awards and all other matters falling under the jurisdiction of the Association as well as points of procedure not covered by the Constitution, may be adopted by a General Meeting of the Association, on a motion either by the Executive Committee or any one (1) affiliated Member, provided that:

- 21.1. Such motion is received in writing, by the Administrative Secretary of the Association not later than thirty (30) days before a due date of a General Meeting for inclusion in the notice and on the agenda of that Meeting.
- 21.2. Such Bye-laws are not in conflict with the provisions of this Constitution.

22. ALTERATIONS TO THE CONSTITUTION

No addition, alteration or amendment shall be made to or in this Constitution, unless same shall have been included in the Notice convening a General Meeting of the Association and shall have been carried by a majority two-thirds (2/3) vote of the votes of the Delegates present and entitled to vote at such Meeting, provided that:

- 22.1. A motion of any proposed addition, alteration or amendment shall be received in writing by the Administrative Secretary of the Association not later than thirty (30) days before a due date of a General Meeting for inclusion in the notice and on the agenda of that Meeting.

23. DISSOLUTION

The Association retains the right to dissolve itself by an act of its own resolution taken at a Special General Meeting called for that purpose provided that twelve (12) months notice of the resolution is given to all Members of the Association. Any resolution taken in terms of this article to become effective, shall require a majority two-thirds (2/3) vote of the votes of the Delegates present and entitled to vote and upon adoption of such resolution steps shall be

taken immediately for the winding up of the Association in terms of the Companies Act No. 61 of 1973 (as amended) and where applicable.

24. RATIFICATION AND REVISION STATUS

24.1. Ratification

The first version of this Constitution was ratified by the Delegates at a Special Meeting held in Cape Town on the 19 November 1991.

24.2. Revision Status

Any revision changes of this Constitution shall be recorded in the table below:

REV	DESCRIPTION OF REVISION	DATE
1.0	First version of the Constitution	19NOV1991
2.0	General revision and restructure	12OCT1992
3.0	AGM & SGM Notice	28JUL1993
4.0	Minor changes to articles 13 & 14	26JUN1994
5.0	Changes to 8.1.2., 8.3., 11.1., 11.2., & 11.3.	17 AUG 1997
5.1.	Addition: 7.2.5 + Amendments: 3.2. & 7.4.	26 JULY 2004

BASEBALL ASSOCIATION OF WESTERN PROVINCE

BAWP

BYE-LAWS

BASEBALL ASSOCIATION OF WESTERN RPOVINCE

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BASEBALL ASSOCIATION OF WESTERN PROVINCE

BYE-LAWS

These Bye-laws constitute a complementary annex to the Constitution of the Baseball Association of Western Province (the Association).

1. AMENDMENTS, ADDITIONS AND DELETIONS

Amendments, additions to, or deletion from these Bye-laws shall be adopted on a single majority of votes by a General Meeting of the Association, provided that the applied procedures shall conform with the article of said Constitution pertaining to the adoption of Bye-laws.

2. DEFINITIONS

The terms used in these Bye-laws shall have the same meaning as ascribed to such terms under the article pertaining to the definitions of terms of, or as described in said Constitution, with the addition of the following:

- 2.1 The term “Constitution” shall mean the Articles of Constitution of the Association.
- 2.2 The term “SABU” shall mean the South African Baseball Union.

3. AFFILIATION

- 3.1 An affiliated Club shall adhere to the following minimum requirements for affiliation:
 - 3.1.1 All affiliated Clubs entered in the major league shall enter and maintain at least one (1) additional team which shall be entered no lower than the second league.
 - 3.1.2 All affiliated Clubs, with the exception of Universities and Colleges, are to be encouraged to maintain at least one (1) junior team.
- 3.2 An affiliated Club that defaults three (3) times by not fulfilling Fixtures with any of its minimum teams so entered, may be disaffiliated and its members shall then be free to join other affiliated Clubs, provided they have discharged their liabilities to the defaulting Club.
- 3.3 Each affiliated Club shall register with the Association its Colours as specifically incorporated in its uniform and shall not be entitled to change such Colours without the consent of the Executive Committee.
- 3.4 Each affiliated Member shall forward in writing to the Executive Committee within fourteen (14) days of its Annual General Meeting the name, address and telephone number(s) of all the members of its Executive Committee. Any changes to the submitted details shall be notified in writing within fourteen (14) days of any such change.

- 3.5 If the affiliated Member does not inform the Association of its official address, then the address of the secretary of the affiliated Member shall be considered to be the official address of that Member.

4. FEES

4.1 Affiliation Fees

- 4.1.1 Each Club wishing to affiliate to the Association shall pay an Affiliation Fee.
- 4.1.2 Affiliation Fees are payable together with the application for affiliation form as per the relevant article of the Constitution and shall be as per paragraph 1.1 of Schedule “A” attached hereto.
- 4.1.3 The Executive Committee may consider reducing the Affiliation Fee if the Club applying for affiliation evolved from the actions of a development program.

4.2 Subscription Fees

- 4.2.1 After the first financial year in which a Club affiliated, that Club shall, for every financial year of the Association, pay an annual Subscription Fee, as per paragraph 1.2 of Schedule “A” attached hereto which amount shall be due by 31 October.

4.3 Team Registration Fees

- 4.3.1 For every financial year of the Association and affiliated Club shall pay, for every team entered into a league as provided for in the Fixtures, an annual Team Registration Fee, as per paragraph 1.3 of Schedule “A” attached hereto which amount shall be due by 31 October.
- 4.3.2 The full Team Registration Fee as per the above shall be payable for late entries which amount shall be due by the date stipulated on the financial statement issued to the affiliated Club.
- 4.3.3 Team Registration Fees shall not be refunded if a team is withdrawn from the Fixtures or league.

4.4 Player Registration Fees

- 4.4.1 To facilitate the financial process at the commencement of the season it shall be deemed that each team entered has fourteen (14) players. The Treasurer shall forward to this affect statements which shall be due by 31 October of each year. The accounts shall, after 31 October, be adjusted to reflect the actual number of players registered by a Club.
- 4.4.2 For every financial year of the Association an affiliated Club shall pay, for every player registered, an annual Player Registration Fee, as per paragraph 1.4 of Schedule “A” attached hereto which amount shall be due by 31 October.

4.4.3 The full Player Registration Fee as per the above shall be payable for late entries which amount shall be due by the date stipulated on the financial statement issued to the affiliated Club.

4.4.4 Player Registration Fees shall not be refunded if a player is unregistered after that player had actively taken part in any Fixture.

4.4.5 A player who is of the age that he is a junior player shall (also) be registered with the Association. If however, he is a registered player of the Western Province Junior Baseball Association (WPJBA), then the Club wishing to register him shall be excused from paying the registration fee per player as levied by the Parent-body.

5. ACCOUNTING

5.1 Interest at current bank prime plus two (2) percent overdraft rates may be charged on overdue accounts.

5.2 Accounts to affiliated Clubs shall be adjusted during the season to allow for the registration of new team(s) and/or player(s) or for any fines payable.

6. GROUNDS

6.1 An affiliated Club that does not have grounds, on which Fixtures can be played, shall apply each season in writing to the Association.

6.2 The number of teams without home grounds to be accepted in any one season will be left to the Executive Committee's discretion.

6.3 All grounds shall be graded according to a grading system as approved by the Executive Committee. The grading system shall be used to determine which league games may be played on said grounds.

6.4 Affiliated Clubs shall indicate in writing thirty (30) days before the start of the season exactly how many and the period for which, any playing fields will be available.

All playing fields shall be ready and shall pass inspection by the Grounds Officer at least thirty (30) days before that field can be used as a venue for Fixtures.

6.5 Grounds will be inspected throughout the season to ensure that minimum prescribed grading requirements are maintained. Clubs failing to meet the minimum requirements shall not be allowed to make use of that facility as a venue for any Fixtures under the auspices of the Association, until the requirements are met.

7. REGISTRATION

- 7.1 At the commencement of each season's administrative process, but not later than 15 September, each affiliated Club shall submit for the Executive Committee's consideration, the number of teams to be entered for that season. Affiliated Clubs shall further indicate the league that they wish each team to play for verification by the Competitions/Fixtures Committee.
- 7.2 At the commencement of each season, each affiliated Club shall submit for the Executive Committee's consideration, a list of players desirous of continuing to play for that Club in the ensuing season.
- 7.3 Where an affiliated Club desires to register a new player, it shall submit for the Executive Committee's consideration a prescribed Registration form duly completed and signed by the applicant, and if applicable, a Clearance Certificate from his former Club in respect of such a player. An identification type photograph shall be attached to said Registration form.
- 7.4 Affiliated Clubs shall on a regular basis, but at least once every season, verify the contents and validity of all the registrations at that time on record for all players of that Club.
- 7.5 A player, upon transfer from a Club or from any organisation outside the area of jurisdiction of the Association, shall be registered by an affiliated Club only if that player resides for at least one (1) week in the area of jurisdiction of the Association and if a Clearance Certificate is produced.
- 7.5.1 The Association shall accept, in the case of a transfer within the area of jurisdiction of SABU, a Clearance Certificate issued by another Regional or Provincial Association affiliated to SABU.
- 7.5.2 For transfers from areas outside the area of jurisdiction of SABU the player must obtain a clearance from the National Federation of that country where that player had last registered, which must then be presented to the Association. The Executive Committee shall then petition SABU for the issue of a Clearance Certificate.
- 7.5.3 At least twenty-one (21) days before transferring to areas outside the area of jurisdiction of SABU the player must request his Club to obtain a Clearance Certificate from the Association. The Executive Committee shall in turn petition SABU for the issue of a Clearance Certificate after having received a clearance from said Club.
- 7.6 To be eligible, a player shall be registered with the Association before that player enters and/or participates in any way in a Fixture for his Club.
- 7.7 An affiliated Club fielding an ineligible player shall be deemed guilty of a misdemeanour, the defaulting team shall forfeit to the opposing team all Fixtures in which said player participated. Failure to register a player in time shall result in a fine as per paragraph 4.1 of Schedule "A" attached hereto.

- 7.8 During the season, the Executive Committee will consider no transfer unless the player has entered or left a University or college, or he has changed his residential area sufficiently to make play for his present Club impracticable.
- 7.9 When a player transfers, within the area of jurisdiction of the Association, from one Club to another, a Clearance Certificate from that player's former Club shall be received by the Association before that player is eligible to enter a Fixture for his new Club.
- 7.10 Affiliated Clubs may only withhold a Clearance Certificate from former players or coaches for the following reasons:
- 7.10.1 Failure to pay Club subscriptions.
- 7.10.2 Failure to return playing uniform or equipment belonging to the Club.
- 7.10.3 Failure to refund money advanced to cover costs incurred in representing the Association, South Africa or similar representative baseball teams or for money advanced to attend a National baseball trial or training camp.
Provided that:
- 7.10.3.1 The sum advanced is R100,00 (One hundred rand) or more and the said Club, when called upon so to do, can produce a signed statement from the player concerned acknowledging receipt of the money and in which the purpose it was advanced for is affirmed
- 7.10.3.2 Paragraph 7.10.3 shall only be valid for the twelve (12) month period, from the date of the above-mentioned statement, where after the player may transfer without refunding the money so advanced.
- 7.11 When a player has not been a member of any Club for a period of five (5) years or more, the requirement of paragraph 7.9 above shall not apply.

8. COMPETITIONS AND FIXTURES

- 8.1 The form and dates of all competitions and leagues in the area of jurisdiction of the Association shall be determined by the Executive Committee on the recommendation of the Competitions sub-committee. This, together with other relevant information shall be issued as a document to be known as the Fixtures Handbook. The games so played shall be known as the Fixtures.
- 8.2 The order of importance or rank of leagues shall be as defined in the Fixtures Handbook as issued at the beginning of each season. This rank shall at minimum make provision for major league (a higher rank), first reserve (a medial rank) and second league (a lower rank) games.
- 8.3 A team in any affiliated Club, which fails to fulfil three (3) fixtures in the league in which it is entered, may cause that Club's defaulting team to be removed from that league.

- 8.4 Any team that withdraws from any one competition before completing at least half of its Fixtures shall cause the results of the Fixtures completed before withdrawal to be deleted from the records and the logs of the competition to be adjusted as if the team had not played any Fixtures.
- 8.5 Teams shall not be excused from scheduled fixtures upon members of that team having been selected for representative games.
- 8.6 Any player selected to represent Western Province who then withdraws from such selection, shall not be eligible to play for his Club during the Provincial team's commitment, unless so approved by the Executive Committee.
- 8.7 Clubs may not agree to postpone or move fixtures. Consideration to postpone lies solely with the President or the Fixtures Officer of the Association. Applications for postponement or movement of fixtures will be subject to three (3) months' notice. In the event of emergency (where 3 months notice cannot be given) special consideration will be at the discretion of the President or Fixtures Officer of the Association.

9. SUSPENSIONS

- 9.1 A player or a coach ordered off the field of play or from the game by an umpire shall be under suspension until such time as his case has been dealt with by the Disciplinary Committee.
- 9.2 Any Member, official of an affiliated Club or player who fails to attend a meeting of the Executive Committee, the Disciplinary Committee or the Appeal Board when summoned to do so, shall be under suspension until the matter has been finalised, unless the Executive Committee decides otherwise. Provided that:
- 9.2.1 The aforementioned summons shall be forwarded by registered letter giving at least 10 days notice, failing which the suspension shall not be applied.
- 9.3 All suspensions imposed by affiliated Members or by SABU and its Affiliates shall be recognised by the Association.
- 9.4 Any member of an affiliated Member, official of an affiliated Club or a player under suspension shall not be entitled to participate in any Fixture of the Association or affiliated Member(s), inclusive of competitions, practices and/or friendly matches, nor shall he be entitled to act in any official capacity in the Association or take part in the conduct or management of the game as the case may be.
- 9.5 All suspensions imposed by affiliated Members shall be reported in writing to the Executive Committee of the Association together with the nature of the offence and the reasons for the suspension.

10. DISCIPLINARY COMMITTEE AND APPEAL BOARD CONDUCT.

- 10.1 Complaints pertaining to the game process shall be submitted in writing by affiliated members only, via the Administrative Secretary of the Association to reach the Disciplinary Committee within ninety-six (96) hours after the alleged misdemeanour.

The Disciplinary Committee shall conduct its meeting within ninety-six (96) hours after receiving a complaint. Failure by the Disciplinary Committee to meet within the stated period will result in the alleged misdemeanour falling away.

- 10.2 The party lodging the complaint shall be known as “the complainant”.
- 10.3 The party against whom the complaint is lodged shall be called “the accused”.
- 10.4 The parties shall be entitled to be represented by a member of an affiliated Member to which the party belongs but shall not be entitled to legal representation unless such legal representative has been a member of such Member for at least twelve (12) months.
- 10.5 In the event of the complaint not being present but a detailed report is submitted, the proceedings may continue. The decision whether to proceed with the hearing or not, shall be at the discretion of the Disciplinary Committee.
- 10.6 Where the complaint is present, the report if any, shall be read by the chairman and the complainant shall be asked whether he wishes to add thereto or clarify any matter raised therein.
- 10.7 The accused or his representative shall then be entitled to cross-examine the complainant. The members of the Disciplinary Committee may also do so.
- 10.8 The complainant may thereafter call witnesses and they shall in turn also be subject to cross-examination by the accused or his representative and/or the members of the Disciplinary Committee.
- 10.9 After the complainant has closed his case the accused may testify if he so wishes and may call witnesses. The accused and his witnesses shall also be subject to cross-examination by the complainant or his representative and also the members of the Disciplinary Committee.
- 10.10 After the accused has closed his case the Disciplinary Committee may in its discretion recall any of the witnesses; the accused, the complainant or it may call other witnesses.
- 10.11 After all the evidence has been adduced, the Chairman shall afford first the complainant and then the accused or their representatives to present their argument.
- 10.12 Thereafter, the Disciplinary Committee shall arrive at the decision in the absence of the parties and witnesses.
- 10.13 The decision of the Disciplinary Committee shall be communicated in writing to the Executive Committee of the Association and to the relevant affiliated Member as soon as possible.
- 10.14 The procedure as set out herein, shall also apply in respect of hearings conducted before the Appeal Board (The Executive Committee of the Association) save and except that;

- 10.14.1 Appeals will only be addressed if representation for such appeal has been made by the Affiliated member to which the accused belongs.
- 10.14.2 The complaint and the accused shall be entitled to representation in matters before the Appeal Board.
- 10.14.3 The Appeal Board shall appoint a recording secretary who shall record the proceedings and the evidence adduced in detail.
- 10.14.4 After completion of the proceedings the chairman of the Appeal Board shall sign the record of the proceedings as indication that it is a true and correct copy thereof.

11. ADVERTISING

No affiliated member or any person having any connection, directly or indirectly with any of the above mentioned shall be entitled to enter into any agreement for the advertising, broadcasting, televising and/or filming of any Fixture(s) within the area of jurisdiction of the Association without the express written consent of the Executive Committee first having been obtained.

12. APPLIED GAME RULES

All Bye-laws having specific emphasis on the game of baseball or rules of the game as applied to all senior games within the area of jurisdiction of the Association, excluding games under the auspices of SABU, shall be recorded in Schedule “B” which schedule shall be an integral part of these Bye-laws.

13. FINES

Fines for a variety of offences shall be levied as per paragraph 4 of Schedule “A” attached hereto.

14. PLAYING UNIFORM

- 14.1 The playing uniform, the uniform for the officials and/or the official leisure wear of Western Province representative teams shall be of a design as approved by the Executive Committee from time to time.
- 14.2 The Emblem, the name “Western Province” and/or the letters “WP” shall be incorporated on the uniform top, the cap and the batting helmet. In broad terms the uniform shall be as follows:

Shirt Top	White The letters “WP” in royal blue on left breast
Sweat Shirt	Royal blue.
Pants	White with royal piping at sides
Socks	Royal blue cut-away and white under-socks
Cap	Royal blue with letters “WP” in white above the peak

Batting helmet

Royal blue

- 14.3 The uniform for any team, other than the first team, entered in the same tour or tournament shall be determined at the discretion of the Executive Committee providing that the theme of the Colours of the Association is upheld.

15. COLOUR AWARDS

STILL TO BE FINALISED

16. TOURS AND TOURNAMENTS

- 16.1 Affiliated Clubs or teams under the jurisdiction of the Association that desire to tour or participate in any tournaments during any part of the year, shall apply in writing to the Executive Committee for permission to do so.
- 16.2 The organisers managing the tour or tournament shall at all times be held responsible for the conduct and discipline during the tour or tournament and upon completion, shall report verbally and in writing to the Executive Committee regarding all matters pertaining to the tour or tournament.
- 16.3 The Association shall supply baseballs, batting helmets and playing uniform for representative game(s).

17. TROPHIES

- 17.1 The trophies of the Association shall be vested in and remain the property of the Association which shall cause such property to be insured. Should any affiliated Club winning any trophy be desirous of holding it until the next season, the Association may allow such Club to do so, provided security is given for its safe custody and return.
- 17.2 In the event that an affiliated Club should fail to return a trophy, the Executive Committee shall replace the lost trophy with a trophy of equal value and stature. The defaulting Club shall be liable for the replacement cost.

18. SELECTION CRITERIA

In addition to the criteria for selection to a team as laid down for that team, the minimum requirements for a player to be selected to any representative team of the Association shall be as follows:

- 18.1 The player shall have been permanently resident in South Africa for at least two (2) years.
- 18.2 If the player has not transferred to the Association from another Regional or Provincial Association affiliated to SABU, then that player shall have been a resident in the area of jurisdiction of the Association for at least one (1) season.
- 18.3 A player shall have been active in playing for a Club during the season.

- 18.4 The active involvement in baseball administration during the season by the player may also serve as criteria in the case of Masters team selection.

19. DISCIPLINARY COMMITTEE

- 19.1 The Association shall at the specific Special General Meeting held in September, elect five (5) members to constitute the Disciplinary Committee (a standing-committee). The Convenor of this Committee shall be the Vice-President of the Association. Any member of the Executive Committee of the Association serving on the Disciplinary Committee shall recuse him/herself from any Appeal Procedure.
- 19.2 The said Disciplinary Committee shall deal with all cases of misconduct, misdemeanour, breach of Constitution, Bye-laws or resolutions by players, umpires, scorers, officials, spectators or affiliated Members both on and off the field of play.
- 19.3 The Disciplinary Committee shall also deal with enquiries and other like matters referred to it by the Association or the Executive Committee and shall have the powers referred in the article of the Constitution pertaining to the powers of the Association specific to misdemeanours and other infringements. The Disciplinary Committee may recommend life bans or termination of membership. Such recommendations are to be ratified by a two-thirds (2/3) majority of the Affiliated Members of the Association.
- 19.4 The decision of the Disciplinary Committee may be subject to an appeal to the Appeal Board only.

20. PROTEST COMMITTEE AND PROTESTS

- 20.1 The Protest Committee (a standing-committee) shall consist of five (5) members, one of whom shall be the Chairman of the Western Province Baseball Umpires Association (WPBUA). Not more than two (2) of the members may be members of the WPBUA.
- 20.2 The Association shall at the specific Special General Meeting held in September, elect four (4) of the members, each duly qualified as to his knowledge of the official rules of baseball. One of these members being appoints the convenor and as such the chairman of this Committee.
- 20.3 Protests against umpires' decisions shall be confirmed in writing by the affiliated Club concerned and shall contain particulars of the protest and the rule being allegedly breached.
- 20.4 Two copies of the protest including a copy of the duly completed score-sheets, accompanied by a deposit as per paragraph 3.1 of Schedule "A" attached hereto shall be forwarded by registered post or hand delivered, to reach the Association within seven (7) days of the game concerned. The deposit shall be forfeited to the Association in the event of the protest not being bona fide.
- 20.5 The Protest Committee shall adjudicate said protest within fourteen (14) days after receiving the protest.

21. SENIOR AND UNDER 21 SELECTION COMMITTEES

- 21.1 Each of the two Selection Committees (a standing committee), shall consist of five (5) members none of whom shall be eligible for selection as a player in that division.
- 21.2 The Association shall at the specific Special General meeting held in September, elect the five (5) members for each of the committees. One of these members being appointed the convenor and as such the chairman of each Committee.
- 21.3 The Selection Committee shall meet independently as when they are required to select teams as set out below. The quorum of each committee shall be four (4) members.
- 21.4 The functions and duties of a Selection Committee are to select a representative Western province teams(s) or any other team(s) the Executive Committee may require.
- 21.5 The assemblage, congruity and size of the team being selected to be governed by the directives prescribed by the Executive Committee and/or rules of SABU.
- 21.6 These committees are also to make recommendations as to the selection of the manager and coaches for the representative team(s).
- 21.7 All team selection or recommendations for selection shall be ratified by the Executive Committee. In the absence of an Executive Committee Meeting the President of the Association may, after consultation with the Executive Committee members, approve the selected team. Only the Executive Committee, or the member designated to do so, may make announcements as to any selection.

22. COMPETITIONS/FIXTURES COMMITTEE

- 22.1 The Competitions/Fixtures Committee (a standing committee), shall consist of at least three (3) members, one of whom shall be the Fixtures Officer of the Executive Committee. The Fixtures Officer shall be the chairman of this committee.
- 22.2 The Association shall at the specific Special General Meeting held in September, elect two (2) of the members.
- 22.3 This committee shall meet or consult as and when necessary and the quorum shall be two (2) members.
- 22.4 The functions and duties of this committee shall be to compile the Fixture lists and Handbook for the various competitions, to advise generally in regard to the arrangements or re-arrangements of Fixtures and shall make recommendations in regard thereto to the Executive Committee.

23. GROUNDS COMMITTEE

- 23.1 The Grounds Committee (a standing committee), shall consist of three (3) members, one of whom shall be the Grounds Officer of the Executive Committee. The Grounds Officer shall be the chairman of this committee.

- 23.2 The Association shall at the Specific General Meeting held in September, elect two (2) of the members.
- 23.3 This committee shall meet or consult as and when necessary and the quorum shall be tow (2) members.
- 23.4 The functions and duties of this committee shall be to compile the system for the grading of grounds, to inspect and measure the playing fields of affiliated Clubs, to advise generally in regard to the construction or condition of fields, to declare a field unsuitable for specific Fixtures and shall make recommendations in regard thereto to the Executive Committee.

24. ENTERTAINMENT COMMITTEE

- 24.1 The Entertainment Committee (a standing committee), shall consist of at least five (5) members, one of whom shall be appointed by the Executive Committee to be the chairman of this committee.
- 24.2 The Association shall at the specific Special General Meeting held in September, elect four (4) of the members.
- 24.3 This committee shall meet as and when necessary and the quorum shall be three (3) members.
- 24.4 This committee shall be responsible for fund raising activities, shall assertively pursue avenues for raising funds and shall arrange for the entertainment and social activities of the Association, the entertainment and transportation of visiting teams or visitors and shall make recommendations in regard thereto to the Executive Committee.

25. UMPIRES AND UMPIRING

- 25.1 All matters pertaining to umpires shall be governed by the constitution of the Western Province Baseball Umpires Association (WPBUA).
- 25.2 The umpire(s) of any game, in which any player had been ejected, in which there was any disorderly conduct, or which was played under protest, shall submit a written report via the chairman of the WPBUA to reach the Association within forty-eight (48) hours of such an occurrence. These umpire(s) shall be at hand to attend, when summoned to do so, any committee meeting convened to investigate the matter raised. Failure to comply shall be considered a misdemeanour resulting in disciplinary action.
- 25.3 Affiliated Clubs shall pay a levy as per paragraph 2.1 of Schedule "A" attached hereto, payable before 31 October each year, for the umpire(s) as provided by the WPBUA for all Fixtures in leagues higher than second league.
- 25.4 Affiliated Clubs shall provide plate and /or base umpires as stipulated in the Fixtures Handbook. Failure to do so, shall result in a fine as per paragraph 4.5 of Schedule "A" attached hereto.

26. SCORERS AND SCORING

- 26.1 The Western Province Baseball Scorers Association (WPBSA) shall be responsible for and in control of all scoring duties at all representative games played within the area of jurisdiction of the Association.
- 26.2 Affiliated Clubs shall pay a levy as per paragraph 2.2 of Schedule “A” attached hereto, payable before 31 October each year. This levy shall entitle the Club to one (1) pad of score-sheets and shall cover the issue of season end scorer’s awards to players.
- 26.3 The WPBSA shall within one month of the conclusion furnish the Executive Committee of the Association with a general summary of all league games higher than second league and details of all averages and records of participating players set out in a manner as agreed upon.
- 26.4 Information processed by the scorers and as required from time to time, shall be made available to the Selection Committees of the Association.
- 26.5 Affiliated Clubs shall provide one eligible scorer for each team registered in leagues higher than second league, for duty throughout the season. Failure to do so, will result in a fine as per paragraph 4.7 of Schedule “A” attached hereto.
- 26.6 Any person officially scoring any Fixture played under the auspices of the Association shall be registered by their Club with the WPBSA.

27. COACHES AND COACHING

- 27.1 All matters pertaining to coaches and coaching shall be governed by the Constitution of the Western Province Baseball Coaching Association (WPBCA).
- 27.2 All affiliated Clubs shall be required to register their major league coach(s) with the WPBCA. Failure to do so shall result in a fine as per paragraph 4.6 of Schedule “A” attached hereto.
- 27.3 Only coaches registered as per the above shall be considered for selection for representative games and/or teams.

28. RATIFICATION AND REVISION STATUS

28.1 Ratification

The first version of these Bye-laws was ratified by the Delegates at a Special General Meeting held in Cape Town on 19 November 1991.

28.2 Revision Status

Any revision changes of these Bye-laws shall be recorded in the table below:

REV	DESCRIPTION OF REVISION	DATE
1.0	The first version of these Bye-laws	19 NOV 1991
2.0	General revision and restructure	12 OCT 1992
3.0	Clearance Certificates + DC	28 JUL 1993
4.0	Registration procedures, selection committee	15 AUG 1994
5.0	Additions: Postponements, Appeals Amendments: DC, Termination	26 JUL 2004

BASEBALL ASSOCIATION OF WESTERN PROVINCE

BYE-LAWS: SCHEDULE A

In effect from: 1 September 1994

1. Fees

- 1.1 The Affiliation Fee for the first playing season per Club shall be R300 (Three hundred rand); [reference Bye-laws paragraph 4.1].
- 1.2 The Subscription Fee for the playing season per Club shall be R200 (Two hundred rand); [reference Bye-laws paragraph 4.2]
- 1.3 The Team Registration Fee for a playing season per team entered shall be R50, 00 (Fifty Rand); An affiliated Club only having a team entered in the lowest league shall be excused from paying the Team Registration Fee; [reference Bye-laws paragraph 4.3].
- 1.4 The Player Registration Fee for a playing season per registered player shall be R15, 00 (Fifteen rand) plus the registration fee per player as levied by the parent-body; [reference Bye-laws paragraph 4.4].

2. Levies

- 2.1 Umpires' levy shall be R200, 00 (Two hundred rand) per affiliated Club having teams entered in major leagues only; [reference Bye-laws paragraph 25.3].
- 2.2 Scorers' levy shall be R100 (One hundred rand) per affiliated Club; [reference Bye-laws paragraph 26.2].

3. Deposit Fees

- 3.1 The deposit to accompany a protest against an umpires' decision shall be R100 (One hundred rand); [reference Bye-laws paragraph 20.4].
- 3.2 The deposit to accompany an appeal against a Disciplinary Committee's decision shall be R50, 00 (Fifty rand); [reference Constitution – Appeal Board].

4. Fines

Fines for various offences shall be levied as follows:

- 4.1 Failure by a Club to register an eligible player before his First Fixture – R50, 00 (Fifty rand) per unregistered player; [reference Bye-laws paragraph 7.7].
- 4.2 Late submission by a Club of the official team and result card – R25, 00 (Twenty-five rand) per Fixture; [reference Schedule “B” paragraph 2.1.3].
- 4.3 Failure by a Club to supply balls as stipulated for leagues higher than second league only – R80, 00 (Eighty rand) per Fixture; [reference Schedule “B” paragraph 6.2].

- 4.4 Failure by a Club to notify the Fixtures Officer or his representative re Fixture obligations within the time stipulated – R100, 00 (One hundred rand) per Fixture; [reference Schedule "B" paragraph 2.2.1].
- 4.5 Failure by a Club to make available at the start of a Fixture or to supply plate and /or base umpires as stipulated in the Fixture Handbook – R50, 00 (Fifty rand) per umpire per Fixture; [reference Bye-laws paragraph 25.4].
- 4.6 Failure by a Club to register a major league team coach – R100, 00 (One hundred rand); [reference Bye-laws paragraph 27.2].
- 4.7 Failure by a Club to register a scorer for teams in leagues higher than second league – R50, 00 (Fifty rand) per team; [reference Bye-laws paragraph 26.5].
- 4.8 Fine for a Club found guilty of explicit or deliberate tampering with the information on a team and result card – R500, 00 (Five hundred rand); [reference Schedule "B" paragraph 2.1.4].

Schedule "A" was ratified at an Annual General Meeting Held on 15 August 1994.

BASEBALL ASSOCIATION OF WESTERN PROVINCE

B A W P

BYE-LAWS : SCHEDULE "B"

APPLIED GAME RULES

BASEBALL ASSOCIATION OF WESTERN PROVINCE

APPLIED GAME RULES

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BASEBALL ASSOCIATION OF WESTERN PROVINCE

BYE-LAWS : SCHEDULE B

APPLIED GAME RULES

The specific rules of the game of baseball applicable to all games within the area of jurisdiction and under the auspices of the Baseball Association of Western Province (the Association) shall be recorded in this Schedule.

This schedule shall be considered an extension of the Bye-laws and as such an integral part of the Constitution of the Association. The procedures to apply any changes to this Schedule shall be in conformance to the procedures, in the Constitution of the Association, to change any Bye-laws.

1. PLAYING RULES

The Association shall apply the rules of the game of baseball as adopted by the South African Baseball Union (SABU), provided that the Association may adopt interpretations and modifications of such rules as it may deem expedient.

2. MATCHES AND TEAMS

2.1 Official Team and Result Cards

- 2.1.1 Only cards as issued by the Association may be used. All written information shall be in printed form preferably using a ballpoint pen. All signatures shall be identified by a printed surname and initials. All changes on the card shall be initialled.
- 2.1.2 Before the commencement of each Fixture the opposing teams shall hand the plate umpire the official team and result cards;
 - 2.1.2.1 A player whose name does not appear in the batting order column or as a substitute on the card shall not be permitted to participate in the game.
 - 2.1.2.2 The order in which the player's names appear in the batting order column on the card shall be considered as the official batting order.
 - 2.1.2.3 Major league teams shall hand a duplicate copy of this card to the opposing team.
- 2.1.3 The duly completed official team and result cards of both teams shall be forwarded to reach the Association within twelve (12) days after the scheduled date of the Fixture. An Affiliated Club failing to do so shall incur a fine as per paragraph 4.2 of Schedule "A" of the Bye-laws.
- 2.1.4 It shall be considered to be a misdemeanour if the information on the team and result card is modified in any way such that it does not accurately reflect the activities of the game process. An affiliated Club found guilty of explicit

or deliberate tampering with the information on a team and result card shall incur a fine as per paragraph 4.8 of Schedule “A” of the Bye-laws.

2.2 Teams – All Leagues

- 2.2.1 An affiliated Club which cannot fulfil its obligations as per the Fixtures Handbook as issued by the Association shall notify the Fixtures Officer or his representative before 12H00 on the day prior to the Fixture. Failure to do so shall incur a fine as per paragraph 4.4 of Schedule “A” of the Bye-laws and the team in question shall forfeit its game to the opposing team.
- 2.2.2 Both teams for a Fixture shall be ready on the field at the scheduled time. The plate umpire shall call “Play ball” at the latest ten (10) minutes after the scheduled time.
- 2.2.3 A player shall not be permitted to participate in games for more than one (1) team on the same day. Failing this the defaulting player shall be considered to be an ineligible player. Provided, however, that:
- 2.2.3.1 A player who is of the age that he is a junior player may participate in two (2) games on the same day provided that one of these games is a junior game. The plate umpire shall indicate on the official team and result card the entry of junior players into the game.
- 2.2.3.2 A player whose name is entered as an official substitute in an early game, but who did not play, shall be eligible to play in the later game. The plate umpire shall indicate on the official team and result card the entry of substitutes into the game.

2.3 Teams – Second League and lower

- 2.3.1 Notwithstanding rule 4.17 of the official rules of baseball, games in second league and lower competitions, shall commence despite one or both teams being no more than one (1) player short of the regulation nine (9) player team.
- Any team which does not have a minimum of eight (8) players available to play within ten (10) minutes of the appointed time, or during the game shall cause the game to be abandoned and the points forfeited;
- 2.3.1.1 In the event of the game above commencing, the missing player, designated as “AN Other”, shall be entered and considered as batting No 9 on the official batting order as described in paragraph 2.1.2.2 hereof. Should he not come up to bat at his turn to bat, he shall be declared “Out”, as if he had in fact batted and was put out, the opposing catcher being credited with a put out.
- 2.3.1.2 Where the missing player arrives after the commencement of the game, he may enter the game at any time and shall bat in the No 9 position. He shall not bat as a substitute for any other player already on the batting list.

2.3.2 Similarly, where either team in these competitions be reduced during the game, for any reason whatsoever, to eight (8) players only, and no substitute in terms of paragraph 2.1.2 hereof be available, the game shall proceed as if the teams were in full complement. The missing player shall be considered at bat in the official batting order as described in paragraph 2.1.2.2 hereof and declared “Out” at his turn to bat, the opposing catcher being credited with a put out.

2.4 Regulation Game

In addition to the games played as curtain-raisers as described in paragraph 2.5 below, a game may consist of less than nine (9) innings, provided that the duration of any such game shall be at least two (2) hours and that for games in:

2.4.1 Leagues – Higher than Second League

There is a difference in score of ten (10) or more runs at the end of, or in favour of the team second at bat in, the seventh (7th) innings; or if,

2.4.2 Leagues – Second League and lower

There is a difference in score of fifteen (15) or more runs at the end of the fifth (5th) innings; or if,

There is a difference in score of ten (10) or more runs at the end of the seventh (7th) innings.

2.5 Curtain – Raiser Games

Where a game is the curtain raiser to a later game, no innings in the earlier game shall commence after ten (10) minutes before the scheduled time for the later game. The game shall be “called off” by the plate umpire, provided that for games in:

2.5.1 Leagues – Higher than First Reserve

At that stage the difference in score be one (1) or more runs in equal innings or in favour of the team second at bat in incomplete innings. Where there is no such difference in score the game shall continue until such difference be attained in six innings or one run from seven innings onwards.

2.5.2 Leagues – First Reserve and lower

At least five (5) equal innings shall have been played and there is a difference in scores. Where however, the score is tied at that stage, the plate umpire shall allow one (1) more innings to be played and where at the end of that innings, the score is still tied it shall be a “tied” game.

3. SPEED UP RULES

The need to speed-up the play of games must be constantly stressed to the umpires and coaches. For teams in leagues higher than second league the following rules must be constantly enforced in an effort to keep the game moving quickly.

- 3.1. The 20-second rule for the pitcher must be enforced at all time during the game (without men on base).
- 3.2. The batter shall be required to remain in batter's box unless he makes a request for "time" and the umpire feels that the request is reasonable. Only then shall umpire grant time out.
- 3.3. The pitcher shall be allowed no more than eight (8) warm-up pitches between innings and the plate umpire shall insure that the pitches are thrown without undue delay. If a team fails to complete the warm-up pitches in a reasonable length of time, the umpire may terminate them and call "Play Ball". Teams shall be directed to have a catcher ready to warm-up the pitcher as soon as an inning is completed.
- 3.4. When a batter hits a home run, members of his team shall not be allowed to contact the batter until he has passed the home plate. Failure to observe this rule will result in a warning and if it occurs again, the coach of the team shall be ejected from the game.
- 3.5. Only one (1) infielder at a time can go to the pitcher's mound (i.e. an "infielders trip"), and only one (1) such a trip per inning shall be allowed.
- 3.6. Coaches shall be allowed three (3) free trips to the mound during the game to talk with the pitcher (a free trip is one in which the pitcher is not removed from the game). These meetings shall be limited to thirty (30) seconds from the moment the umpire calls "Time". After the third free trip, each subsequent trip to the mound must result in the removal of the pitcher. If the games goes into extra innings, one (1) additional free trip shall be allowed for each extra three (3) innings. Two (2) trips to the mound in the same inning to the same pitcher must result in the removal of the pitcher. Only one (1) infielder can go to the mound when the coach does and if one (1) infielder goes to the mound at the time, it is considered the "infielders trip" to the mound for that inning.
- 3.7. Teams are allowed a maximum of three (3) "offensive meetings" per game. An offensive meeting shall be charged any time a coach delays the game for any length of time to talk with an offensive player, whether it be the batter, a base-runner or an on-deck batter going to the plate, or to another coach. If the game goes into extra innings, one (1) additional "offensive meeting" shall be permitted for each three (3) extra innings. If this rule is violated the coach may be ejected. No offensive trip will be charged if the offence discusses strategy during a delay for which they are not responsible (e.g trip to the mound, injury, player change etc) providing they cause no further delay.
- 3.8. No team shall be allowed a time out before it takes the field except in the case of genuine injury when the other players must take the field unless involved in directly treating injured player(s).

4. PLAYERS

- 4.1 Unless actually participating, no offensive player shall enter the playing surface except when “on deck”, when he shall occupy the “swinging circle”, or in coaching, when he shall occupy the coaching box.
- 4.2 Unless actually participating, no defensive player shall enter the playing surface.

5. CODE OF CONDUCT, ETHICS AND PLAYING OFFENCES

- 5.1 No player, manager or coach shall address any derogatory remarks to or about any member of the opposing team, any umpire or any spectator. Only words of encouragement may be given to players of his own side.
- 5.2 Smoking on the field of play is strictly prohibited.
- 5.3 The consumption of alcoholic beverages on the field of play and/or dugouts is strictly prohibited.
- 5.4 The plate umpire may, for any offence, eject a player from the game. Depending on the severity of the offence a player may be given one (1) warning. A player ejected from a game shall be under automatic suspension until such time as his case has been dealt with by the Disciplinary Committee.

6. PLAYERS’ GEAR

- 6.1 No player shall be allowed to participate in a game unless properly equipped with players’ gear. This particularly applies to catchers who, for their own protection, shall play in proper masks and body protectors. Furthermore catchers should be encouraged to wear a throat protector and leggings.
- 6.2 All teams in leagues higher than second league shall supply at least one new baseball plus one ball in a very good condition for the game concerned. All other leagues shall supply at least two balls in very good condition to the satisfaction of the plate umpire. Failure to do so shall result in a fine as per paragraph 4.3 of Schedule “A” of the Bye-laws.
- 6.3 For all games in leagues higher than second league, no player shall bat, nor run bases unless he wears an approved batting helmet. For all other leagues no player shall bat unless he wears an approved batting helmet. These helmets shall have flaps protecting both ears.

All other players on the field of play shall wear a cap, which shall be considered to be part of the registered uniform of his Club.

- 6.4 bat boys shall wear an approved batting helmet, which helmet shall have flaps protecting both ears.

7. COLOURS AND UNIFORMS

- 7.1 A player shall not be allowed on the field of play unless attired in a registered uniform of his Club.
- 7.2 All players in the major league shall wear numbers on their uniforms. These numbers shall be on the rear of the tunics and shall be of sufficient size, width and colour to be legible.

8. GROUNDS

8.1 The Playing Area

- 8.1.1. The playing area shall be obstruction free – level ground without holes.
- 8.1.2. The soil shall be firm, but loose top with enough give to prevent catching spikes, when sliding.
- 8.1.3. The playing area shall have established grass shall be regularly cut and watered.

8.2 The Playing Field

- 8.2.1. A distance of 97,60m (320') along the foul lines and 122,0m (400') to centre field is preferable. Exceptions to this rule may be considered for existing fields and for second leagues and lower.
- 8.2.2. The outfield boundaries shall be clearly demarcated where fencing does not exist.
- 8.2.3. The home plate shall have a bevelled edge, be flush with and securely fastened to the ground.
- 8.2.4. All bases and pitchers rubber shall be securely fastened in their prescribed positions.
- 8.2.5. The mound shall be 255mm (10") above the level of the home plate and shall be circular in shape as prescribed.
- 8.2.6. The mound shall have a flat top, with a degree of slope of no more than 25mm in 305mm (1" in 1'), from a point 152mm (6") in front of the pitchers rubber for a distance of 1,830m (6') towards home plate. This degree of slope shall be uniform and with firm footing, where the pitchers stride hits the ground.
- 8.2.7. All lines as prescribed in the official rules shall be laid out and prominently marked in their entirety with white chalk or lime. This includes the dead ball line, where erected fencing does not exist.
- 8.2.8. The catcher's box, the batter' boxes, the coaches boxes, the 900mm (3') first base running line and the "on deck" circles shall be laid out as prescribed and marked with chalk or lime.

- 8.2.9. Where dugouts do not exist, its perimeter shall be clearly demarcated with chalk or lime.
- 8.2.10. The dugouts shall be equipped with suitable benches or chairs for both teams.
- 8.2.11. Pegs and spikes used as fasteners shall be securely driven into the ground and shall not protrude above the bases, home plate or pitchers rubber.

8.3 Backstop

- 8.3.1. The fencing shall have a consistent surface that will not cause an irregular ball bounce. Fencing on the infield side of the posts is preferable.
- 8.3.2. Shall not be less than 3,66m (12') high.

Exceptions to this rule may be considered for second leagues and lower where backstops do not exist. Here temporary backstops of minimum 2,0m (6'6") in height shall suffice.

- 8.3.3. The centre section shall be erected not less than 18,30m (60') behind and at right angles to the axis of the home plate, shall measure 15,0m (49') in length. The wings shall be extended parallel to the foul lines, on the dead-ball line, for the same distance.

Alternatively, the centre section of the backstop may be erected by describing an arc of radius 18,3m (60') from the home plate to intersect both dead ball lines. In this case the wings shall be extended parallel to the foul lines, on the dead-ball line, for a distance of 7,5m (24').

Exceptions to this rule may be considered where existing grounds do not permit a foul territory of 18,3m (60'). For these cases, a foul territory of less than 18,3m (60') may be considered at the discretion of the Executive Committee on recommendation by the Grounds Officer.

- 8.3.4. All damaged wire mesh or nylon netting shall be regularly repaired; so as to contain any ball directed at it.

8.4 Facilities

- 8.4.1. Clubs shall provide for the scorers of a game, facilities such that two scorers have an uninterrupted view, have seating and table top area near the plate umpire but behind the backstop and be generally protected from player and spectator interference.
- 8.4.2. Clubs shall provide suitable ablution facilities for players, officials and spectators.
- 8.4.3. Suitable first aid services shall be available or on call for any medical emergency.

A standard first aid kit shall be available at all times during a game; this kit shall be presented for inspection upon request by the Grounds Officer.

9. PROTESTS

- 9.1. No protests relating to the ground, field layout and markings or other appurtenances of the game shall be entertained unless formally intimated to the plate umpire and the manager of the opposing team prior to the commencement of the game concerned.
- 9.2. A protest shall only be lodged on the question of the interpretation of the rules of the game and the plate umpires' decision shall be final and shall be acted upon on the field although under protest.
- 9.3. Such protests shall be formally intimated to the plate umpire and the manager of the opposing team at the time of the alleged violation. Providing further that the protest is initiated and then signed by the plate umpire before the next pitched play or attempted play. The protest shall be recorded in the remarks column of the score-sheet by both scorers of the game and shall be signed by the plate umpire.
- 9.4. Written protests as prescribed shall be lodged within seven (7) days of the game, failing which it shall be deemed to have lapsed.

10. UMPIRES AND UMPIRING

- 10.1 The officially appointed umpire(s) shall have jurisdiction over the game. A registered umpire of WPBUA shall take precedence over any umpire(s) designated in the Fixtures Handbook.
- 10.2 The umpires shall have sole authority to determine whether the playing field and/or facilities comply with the minimum requirements as per the Byelaws of the Association. The game shall be "called off" as per the rules of baseball if the minimum requirements are not met; the plate umpire shall then issue a report to the Grounds Officer of the Association.
- 10.3 No person under the age of seventeen (17) years shall be allowed to umpire in any official Fixture of the Association.
- 10.4 Should the official umpire(s) not be available the coaches or team captain shall agree on a plate and/or base umpire(s) in order to ensure that the Fixture is completed on the scheduled date, such persons to have the same jurisdiction as if officially appointed.
- 10.5 All umpires officiating in any game shall be properly attired.
- 10.6 The plate umpire must at the end of the game sign the official team and result card as well as the official scoresheet.

11. SCORERS AND SCORING

- 11.1 Team managers shall report to the scorers with their team line-ups not less than fifteen (15) minutes before the scheduled start of the game.

11.2 Within three (3) days after completion of the game the scorer, for games in leagues higher than second league, shall complete the scoresheets as prescribed by WPBSA and post the duly processed (original) scoresheet to the Statistician of WPBSA.

12. REVISION STATUS

Any revision changes to Schedule “B” shall be recorded in the table below:

REV	DESCRIPTION OF REVISION	DATE
1.0	The first version of these Bye-laws	19 NOV 1991
2.0	General revision and restructure	12 OCT 1992
3.0	Speed up rules, Helmets + Grounds	28 JUL 1993
4.0	No changes were applied	15 AUG 1994
5.0	Changes to 10, 2.1.4, 2.5, & 3.8	17 AUG 1997