

CONSTITUTION

ARTICLE I - NAME

1. The name of the Association shall be “The P.E.I. Softball Association” and herein will be referred to as Softball P.E.I. (S.P.E.I.).

ARTICLE II - JURISDICTION

1. S.P.E.I. recognizes all amateur sports and claims jurisdiction over and recognizes its responsibilities as the Provincial governing body of the game of softball, which includes fast pitch, slo pitch, orthodox softball as played by member teams of S.P.E.I.

ARTICLE III - MEMBERSHIP

1. Membership with S.P.E.I. shall be open to all teams in the Province of Prince Edward Island, who shall agree to abide by and comply with the rules and regulations of S.P.E.I. and who make application to and are accepted by S.P.E.I. and herein will be referred to as “registered team(s) and/or members.”
2. Softball Umpires P.E.I. shall be affiliated with Softball P.E.I. upon payment of an annual fee. For this fee the umpire will receive a current rule book from S.P.E.I. This fee will be reviewed annually and must be paid to S.P.E.I. on or before June 30th each and every year. This will not entitle individual umpires to vote at any Annual or Special General Meeting.
3. Leagues must register with S.P.E.I. on or before June 15th each year. League registrations must contain the following information: (i) total number of teams; (ii) a contact person and phone number for each team; (iii) names and phone numbers for league Executive members.

A “League” is an organization of teams which use some form of schedule for their games.

4. Life memberships may be awarded to individuals who have rendered exceptional services in softball upon approval of two-thirds of the voting members in attendance at an Annual Meeting. Life members have no vote.

ARTICLE IV - AIMS & OBJECTIVES

1. The purpose of S.P.E.I. is to carry on without monetary gain for its members the following objectives:
 - (i) to foster, develop, promote and regulate the playing of amateur softball.
 - (ii) to provide the game of softball with proper safe guards in accordance with the spirit of true sportsmanship.
 - (iii) to encourage registration of all eligible teams, organizations or groups with S.P.E.I. with active membership and representation with S.P.E.I.
 - (iv) to establish a set of uniform rules for playing the game of softball throughout the Province of Prince Edward Island.
 - (v) to establish and maintain by allied membership, alliances with associations to devote wholly or partially to the promotion of the game of softball.
 - (vi) to initiate, promote and regulate championship play, regional, provincial, and Canadian in all classifications of the game as may be deemed feasible and in the best interest of the game of softball.
 - (vii) to co-operate with the Canadian body in the promotion of the Canadian Championship competition where deemed feasible; this is to be done through the medium of the Canadian Amateur Softball Association (Softball Canada).
 - (viii) to represent the Province of Prince Edward Island on softball councils or associations of the other provinces and/or territories where deemed practical and necessary.
 - (ix) to do such things as may be deemed necessary for the proper promotion and jurisdiction of softball throughout the Province of Prince Edward Island.
2. S.P.E.I. shall be carried on without the purpose of gain for its members and any profits or other accretions to S.P.E.I. shall be used in promoting its objectives.
3. In the event of dissolution as winding up of S.P.E.I., all its remaining assets, after payment of liabilities, shall be distributed to one or more recognized charitable organization(s) in Canada.

ARTICLE V - BOARD OF DIRECTORS

1. The affairs of S.P.E.I. shall be managed by a Board of Directors consisting of the officers of the Association herein after referred to as “The Executive.”
2. Softball P.E.I. shall have the following elected officers, (i) President; (ii) Umpire-in-Chief; (iii) National/Eastern Canadian Director; (iv) Minor Director; (v) Prince County Director; (vi) Queens County Director; (vii) Kings County Director.
3. (A) The President, National Eastern Canadian Director and Director at Large shall be elected in even numbered years. The Minor Director and three County Directors shall be elected in odd numbered years starting at the 1997 S.P.E.I.A.G.M.

(B) The Umpire-in-Chief shall be elected by Softball Umpires P.E.I., in even numbered years, and recommended to S.P.E.I. Board of Directors for approval.
4. The Secretary, Treasurer, Public Relations Officer shall be appointed by the Executive to hold office for a two year term to start following the 1997 S.P.E.I.A.G.M.
5. The Past President shall be considered an “elected” Board member, Chairman of the Nominating Committee and shall perform other duties as requested from time to time by the President.
6. Each “elected” Board member may have only one (1) vote as S.P.E.I. meetings, even if they hold two positions.

ARTICLE VI - SIGNATURE AND CLARIFICATION

1. Contracts, documents, and instruments in writing requiring the signature of S.P.E.I. shall be signed by the President and one other member of the Executive. All contracts, documents, and instruments in writing so signed shall be binding upon S.P.E.I. without any further authorization or formality.

BYLAWS

ARTICLE I - MEETINGS

1. The Annual Meeting of S.P.E.I. shall be held between March 1st and April 30th each and every year. The date of the meeting shall be determined by the Executive of S.P.E.I. and thirty (30) days prior notice shall be given to each member via the media.
2. A Special General Meeting of S.P.E.I. may be called by the President. Thirty (30) days prior notice shall be given to each member team via the media of a Special General Meeting such notice shall set forth the entire business to be conducted at the Special General Meeting.
3. An Executive Meeting of S.P.E.I. may be called by the President at any time. Members of the Executive shall be given notice by telephone, verbally or in writing not less than two (2) days prior to such Executive Meeting. The Executive shall meet a minimum of four (4) times annually.
4. The President, or his designate, shall represent Softball P.E.I. at Regional or Canadian Meetings. The President shall have the authority to appoint any additional person(s) including any other Softball P.E.I. member who shall be attending these meetings.

ARTICLE II - NOMINATING & VOTING PROCEDURES

1. The Election Chairperson - a member of the Executive of Sport P.E.I., acts in this capacity or appointment by the Executive.
2. Nominating Committee - chaired by the immediate Past President and one other person appointed from the general membership by the president. The Committee to be in place sixty (60) days before the date of the Annual Meeting.
3. Scrutineers - two (2) are appointed by the Election Chairperson at the Annual Meeting, if required.
4. Duties of Election Chairperson:
 - (i) Declares all offices vacant;
 - (ii) Calls for a motion for a secretary for the election (usually the former secretary).

- (iii) Have the meeting decide the following:
 - method of voting (ballot, show of hands, etc.)
 - appoint scrutineers, if the meeting decides to vote by ballot
 - ask for a report from the Nominating Committee
 - calls for nominations from the floor, three times for each office separately, after the name(s) have been reported from the Nominating Committee
- (iv) Closes the nomination by:
 - declaring nominations closed, or
 - asking for a motion from the floor, requires a seconder and a vote
- (v) Ask for a vote - as per method decided, or declares elected if only one nomination.
- (vi) Ask for the count. The scrutineers or secretary will count, depending on the voting method chosen.
- (vii) Commence the results.
- (viii) Ask secretary to read the full list of elected officers.
- (ix) Ask the President to return to the Chair.

5. Duties of the Nominating Committee:

- (i) Make and receive nominations.
- (ii) See that all nominees are willing to serve; if nominees are not in attendance, it is required that he/she has signed a letter of intent to serve as an elected officer. A nominee not in attendance cannot be elected if a letter of intent is not available.
- (iii) Prepare a report for presentation at the Annual Meeting.

6. Duties of the Scrutineers:
 - (i) Distribute ballots - keep count.
 - (ii) Collect ballots - keep count.
 - (iii) Count ballots.
 - (iv) Convey results of count to Election Chairperson or Secretary.

7. Each league registered with S.P.E.I. shall have one (1) vote as per Article III (3) in Constitution. Each member team (member team is a team which pays an annual registration fee) shall be entitled to one (1) voting delegate as per Article III (I). Each member of the Executive shall be entitled to one (1) vote. The President shall vote only in the election of the Executive.

8. A vote by proxy will not be permitted.

9. Fifty percent (50%) plus one of the delegates present at all meetings will carry an issue excluding the amendment of the Bylaws. In the event of a tie vote, the motion shall be defeated.

10. In the elections of the Executive, majority vote (greatest number of votes) will decide the winner. In the event of a tie vote, other votes will be taken until a winner is declared.

11. Persons wishing to run for an Executive position must give notice in writing to Softball P.E.I. through the office of the President, thirty (30) days prior to the Annual General Meeting or Special Meeting called for this purpose. Should there be no name(s) received for a position, nominations may be received from the floor at Annual General Meeting or Special Meeting.

ARTICLE III - FEES

- (i) Each adult team in S.P.E.I. shall be charged an annual registration fee. This fee must be paid to an Executive member on or before June 1st of each and every year. Teams entering into Provincial Championships will also be required to pay a Provincial fee which must be received by an Executive member accompanied with the Softball Canada/S.P.E.I. Team Registration Form on or before June 30th (adult categories) or July 15th (minor categories) of the current year. The amount of these fees shall be set annually by the Executive. Failure of teams to meet the above requirement shall disqualify them from membership with S.P.E.I. and/or entry into Provincial Championships.

- (ii) When teams are playing in Provincial Championships to represent P.E.I. at Canadian or Eastern Canadian Championships the following year, the registration fee for both years must be paid to S.P.E.I. as follows. The fees for the current year must be received by June 30th (as in (i) above). The fees for the following year must be received from the winning team not later than ten (10) days following the date set for respective Provincial Championship. Failure by team(s) to comply with above would disqualify them from participating in Canadian or Eastern Canadian Championships.

ARTICLE IV - ORDER OF BUSINESS

- 1. The order of business at the Annual Meeting of S.P.E.I shall be:
 - (i) Roll Call and Presentaion of Credentials
 - (ii) Minutes of Last Annual Meeting and Business Arising from them
 - (iii) President's Report
 - (iv) Various Director's Reports
 - (v) Report from Eastern Canadian Competitions
 - (vi) Treasurer's Report
 - (vii) Umpire-in-Chief's Report
 - (viii) Reports from Canadian Championship Competitions
 - (ix) Reports from Various Committees
 - (x) Discussion regarding Various Reports
 - (xi) Amendments to Constitution & Bylaws
 - (xii) Correspondence
 - (xiii) Election of Executive
 - (xiv) Bid for Provincial/Eastern Canadian Competitions
 - (xv) New Business
 - (xvi) General Discussion
 - (xvii) Entertainment

ARTICLE V - QUORUM

- 1. A quorum at any Executive meeting shall be four (4) persons entitled to vote.

ARTICLE VI - NOTICE OF MOTION - AMENDING BYLAWS

- 1. Amendments to the Bylaws shall be made by recommendation only by members or by Executive Members at the Annual or a Special General Meeting.
- 2. A Notice of Motion to amend the Bylaws must be forwarded in writing to the President or Secretary twenty-one (21) days prior o the Annual Meeting and they shall forward copies of all Notices of Motion to all member teams and Executive members in attendance at the Annual Meeting.

3. Bylaws may be amended, repealed or enacted at Annual Meeting or Special General Meeting called for this purpose by at least two-thirds majority of all voting delegates at the Annual or Special General Meetings.
4. When a Notice of Motion has not been served as provided for in paragraph (2) of this Article, the bylaw may be enacted, repealed or amended at the Annual Meeting by a unanimous vote of the voting delegates at the meeting.

ARTICLE VII - AUDITORS

1. The books and records of S.P.E.I. shall be kept by the Treasurer and may be audited annually by an independent auditor if requested. The members may, at the Annual Meeting, appoint an auditor to audit the account of S.P.E.I. and to hold office until the next Annual Meeting provided that the Executive may fill any casual vacancy in the office of the Auditor.

ARTICLE VIII - DUTIES OF THE EXECUTIVE OFFICES

1. The duties of the Executive Officers shall be as follows:
 - (i) **PRESIDENT** shall call and preside at all Annual Meetings, at all Special General Meetings, and meetings of the Executive. He/she shall be responsible for the organization and operation of all softball in the Province. He/she shall be empowered to appoint such committees or persons as may be deemed necessary in the best interests of the game of Softball.
 - (ii) **DIRECTORS** shall, in the event that the President is absent, preside over all S.P.E.I. meetings on a rotational basis. They may be assigned special projects or other duties as directed by the President from time to time.
 - (iii) **SECRETARY** shall take minutes of all S.P.E.I. meetings, maintain an accurate record of all members of S.P.E.I., be responsible for all correspondence, report on all matters of interest, be responsible for making news releases, public announcements, sending of notices regarding meetings of S.P.E.I., and other related duties as directed by the President from time to time.
 - (iv) **TREASURER** shall complete and keep full and proper records of the financial transactions of S.P.E.I.; shall deposit all monies in a Canadian Chartered Bank and all accounts of S.P.E.I.
 - (v) **UMPIRE-IN-CHIEF** shall be responsible for the organization and operation of all S.P.E.I. umpires. He/she, or their designate, shall have a vote at all S.P.E.I. meetings, will represent S.P.E.I. at all Provincial, Eastern Canadian and Canadian Umpires Meetings.

- (vi) **IMMEDIATE PAST PRESIDENT** (as specified in Constitution and Bylaws).
- (vii) Executive Members must attend regularly scheduled meetings. Any Executive Member missing more than three (3) scheduled meetings without just cause may be subject to suspension and/or dismissal from the Executive as determined by a disciplinary committee as selected by the President.

POLICY & PROCEDURES

ARTICLE I - EXECUTIVE

1. The Executive shall have the power to do all things as in their opinion may be necessary or expedient to carry out effectively the objectives of S.P.E.I. as set out in the Constitution and Bylaws and, in particular, and without limiting the foregoing, the Executive shall have the power:
 - (i) to cause S.P.E.I. to become affiliated with the Canadian Amateur Softball Association (Softball Canada);
 - (ii) to pass and enact such rules and regulations as it deems advisable for the improvement and regulating the game and in particular but without limiting the foregoing, to regulate exhibition matches and teams seeking affiliation with S.P.E.I.
 - (iii) to prohibit any act or practice by S.P.E.I. member team or person which in the opinions of the Executive, is detrimental to the interests of the game and deal with any member team or person disregarding such a prohibition in such manner as it may deem necessary
 - (iv) to reinstate upon teams or otherwise, as it may deem proper, any member team or persons who through inadvertence, ignorance, or for any other reason, has ceased to be a member and is desirous of being reinstated.
 - (v) to inflict penalties upon a member team or person for any infringement of the rules of the game or of the rules and regulations of S.P.E.I. or for any act or practice which in the judgement of the Executive is detrimental to the interests or contrary to the ethics of the game.
 - (vi) to sanction all tournaments and all meetings conducted under the auspices of S.P.E.I. All inter-provincial tournaments **MUST** be sanctioned by S.P.E.I.

- (vii) to decide all questions of eligibility of persons nominated or elected as an Executive member.
- (viii) to sanction the holding of championships, exhibition games, play-offs, money-making promotions, such as lotteries, soliciting, games of chance, and negotiations with any organizations from within the Province of Prince Edward Island or outside the Province of Prince Edward Island.
- (ix) (1) Any member team/person or official must address S.P.E.I. in writing within five (5) days concerning any incident which could involve suspensions. Softball P.E.I. shall make a decision on this incident within five (5) days upon written receipt of the said incident.

(2) Any member team/person or official may address an appeal within ten (10) days of the Softball P.E.I. decision on this incident within five (5) days upon written receipt of the said incident
- (x) to determine listing sites for championship tournaments.
- (xi) to decide all questions of eligibility regarding team players/members and umpires.

ARTICLE II - CHAMPIONSHIP PLAY

1. All championships conducted by S.P.E.I. shall be governed by the Bylaws and Policies and Procedures of S.P.E.I.
2.
 - (i) Any Prince Edward Island team participating in the Softball Canada play-offs shall do so at their own expense.
 - (ii) A team attending a Softball Canada championship is responsible to ensure a coach eligible for Canadian championship play, in the respective category, is signed to the team roster and is present with the team throughout the Canadian Championships.
 - (iii) A team attending a Canadian championship without an eligible coach will pay to S.P.E.I. \$2,500.00 within sixty (60) days after completion of said championship, or shall remain suspended until money is received by S.P.E.I.
 - (iv) Team(s) attending Canadian Championships must pay to S.P.E.I. a refundable performance bond in the amount of \$1,000.00 prior to July 1st in the year of the championship.
 - (v) Each team participating in the provincial play-off games must pay their expense.

- (vi) All expenses incurred and profits realized by the hosting organization in any Provincial/Eastern Canadian playoffs are as per S.P.E.I. Hosting Policy and Regulations.

ARTICLE III - HOSTING SITES

1. Teams/Organizations wishing to submit a bid for a Provincial Championship must submit that bid to any Executive Member not later than November 15th of the previous year. After this date bids will be received on a 'first come ' basis.
2. Protest Committees for all S.P.E.I. Provincial Championships must consist of three (3) persons and must include an umpire. Their decision is final.
3. The tournament will operate under the rules laid down by Softball Canada Rule Book and/or the S.P.E.I. Constitution, Bylaws, Policies and Procedures, and S.P.E.I. Championship Guidelines.
4. Host organizations shall abide to all S.P.E.I. "Hosting" Policy/Regulations.

ARTICLE IV -SUSPENSIONS

1. Conditions and Procdures:
 - (i) Players, coaches, managers and teams may be suspended from S.P.E.I. membership.
 - (ii) Notice of suspension shall be communicated by registered mail to the suspended party.
 - (iii) In case of individual suspension, the team management involved shall also be notified.
 - (iv) The notice of suspension must also state the reason for the suspension.
 - (v) Decisions on suspensions shall be made by the Executive of S.P.E.I. and Notice of Suspension shall be made by the President. This decision shall be made within five (5) days and shall be final.
 - (vi) Umpires must notify the President of S.P.E.I. of any action they deem warrants possible suspension or other penalties as provided in this Article subsection 2 following. Such notice shall be made within five (5) days.
 - (vii) The Executive of S.P.E.I. shall deal with all cases of verbal or physical abuse toward any registered umpire officiating in P.E.I. by a player or team member. The suspension/penalties in such cases shall reflect the standard penalties as per Softball Canada Bylaws.

2. Violations punishable by suspensions (disqualifications) but are not limited to the foregoing:
- (i) A player, coach, manager, team or umpire may be suspended for failing to comply with the terms of S.P.E.I. Constitution, Bylaws, Policy and Procedures or Executive decisions or Softball Canada Official Guide and Rulebook.
 - (ii) A player, coach, manager, team or umpire may be suspended for any misconduct provided there is majority consent by the Executive of S.P.E.I.
 - (iii) A player, coach, manager, or umpire may be suspended for:
 - (i) striking or threatening an official on the playing field or elsewhere.
 - (ii) ungentlemanly or unladylike conduct, or the use of abusive or vulgar language on the playing field or elsewhere.
 - (iv) Player(s) may be suspended for:
 - (i) playing with a player, umpire, league, or team member that has been suspended
 - (v) A coach or manager may be suspended for:
 - (i) playing ineligible players.
 - (ii) defaulting any Provincial play-off game.
 - (vi) A team may be suspended for:
 - (i) for defaulting games when they are ordered to play.
 - (ii) for playing ineligible player; (all games played by the offending team in which ineligible players participate shall be forfeited).

(vii) (i) **DISQUALIFICATION PROCEDURES**

A team, team member, umpire or association official must be notified in writing of the time, place and date of a hearing with Softball P.E.I.'s Executive or the appointed representative to determine if disqualification of the individual or team is required. With just cause, the date can be renegotiated once by the accused. Even if the accused fails to attend, the hearing will be held and a decision reached.

- (ii) The executive or their designated representative will take appropriate action based on the hearing evidence and notify the accused in writing within ten (10) days after the hearing.

(iii) **RIGHT OF APPEAL**

A team, team member, umpire or association official disqualified may appeal to the Executive, through the office of the President, in writing, within ten (10) days after mailing of the notice of disqualification. The President shall appoint a committee to hear the appeal to determine if a fair hearing was held and equitable decision reached. The person or team shall remain suspended until such time as the appeal and a decision is rendered.

- (iv) Penalties will be issued at the discretion of the committee having conducted the appeal hearing for violations outlined in the letter of disqualification.

ARTICLE V- MISCELLANEOUS

1. No play-off dates are to be broken except in the case of inclement weather or extraordinary circumstances after being approved by a member of the Executive of S.P.E.I. assigned to supervise the tournament.
2. Any team registered for the Provincial play-offs may withdraw from such play-offs without penalty provided they have informed the President at least seven (7) days in advance of the commencement of said play-offs.
3. Residency Requirements - players signing with teams which are registered with S.P.E.I. must be bonafide residents (except as per Softball Canada Special Operating Rules - "Player Additions") of Prince Edward Island as of June 30th of the playing year. Players registering in Provincial play-offs leading to Canadian Championship must meet softball Canada residency requirements.

4. Registration of Players/Teams:
- (i) Player(s) shall be considered to be registered with team(s) when his/her name is forwarded to S.P.E.I. on a Softball Canada/P.E.I. Team Registration Certificate.
 - (ii) A player shall be allowed to register with more than one team, providing the following criteria is adhered to:
 - (i) They do not register with more than one (1) fast pitch team (Orthodox is considered fast pitch).
 - (ii) They do not register with more than one (1) team per category in slo-pitch; categories are master, co-ed, men's, ladies, and in fast pitch, "intermediate categories" only (masters and co-ed are considered intermediate).
 - (iii) A player who is registered with S.P.E.I. team(s) as of the established registration date shall be the property of these teams for the remainder of the season.
 - (iv) A player who is registered with S.P.E.I. team(s) may be released up to the established affiliation or registration date.
 - (v) Any player seeking release and being opposed in this action may appeal to the Executive of S.P.E.I. and their decision shall be final.
5. Only teams registered with Softball P.E.I. will be eligible to participate in Provincial, Eastern Canadian or Canadian Championships.
6. Teams (in Intermediate fast pitch categories only) may add no more than three (3) players to their team roster between July 1st and July 15th each year to play in Provincial/Eastern Canadian Championships provided these players are selected from non-registered teams in their respective category or from a lower category. These names must be forwarded to a S.P.E.I. Executive Member prior to 6:00 p.m., July 15th. Softball P.E.I. will decide on all questions of eligibility of these players and their decision is final.
7. Teams playing in a "league" (as described in ARTICLE III (3)) must have S.P.E.I. approved insurance coverage.

Note: Registered umpires shall not be assigned to game(s) where uninsured teams are participating without prior written approval of S.P.E.I.