



## 2021 SOFTBALL MANITOBA AGM Constitution and Bylaws Motion Form



### NOTICE OF MOTION # 5

#### Constitution and Bylaws

**Submitted by:** Board of Directors

**Division Affiliation:** All Divisions

**Date:** September 24, 2021

**REFERENCE:** (Section, article, number, page, etc.)

By-Laws Information Handbook.

Page 13, Section 20, Protests

**WHEREAS** (Article as currently written.)

#### Section 20 – PROTESTS

20.01 Pertaining to protests involving the playing rules and appeals regarding league by-laws or regulations, the following shall occur;

- a. The initial protest or appeal must be made to the participant's own league or governing body;
- b. A further protest or appeal in writing may be filed with Softball Manitoba should the participant believe that the initial protest or appeal decision was in error;
- c. The protest or appeal must be filed with Softball Manitoba or, postmarked if mailed, within forty-eight (48) hours from the time the decision was made;
- d. The protest/appeal must be accompanied by a one hundred dollar (\$100.00) (cash/certified cheque)
- e. Protests should contain all pertinent details including information about the ruling or decision made by the original protest or league appeal committee - including the names of the participants of the original committee;
- f. A copy of the written protest or appeal must be sent by the member to the chairman of the league appeal committee and a second copy to those involved if a playing rule is being protested.

20.02 The President or his designate will deal with protests involving the playing rules and appeals regarding league by-laws and regulations and will attempt to resolve the dispute to the satisfaction of all parties involved. If necessary, an Appeal Committee will be formed to rule on the matter.

20.03 Fees will be returned to the member protesting if the protest is upheld. If rejected, Softball Manitoba retains the fee.

**BE IT RESOLVED THAT** (Motion. State whether revision, addition, deletion)

Revise as follows and move Section 20, in it's entirety to General Operating Rules Article 3 – Hosting Regulations, Section G – Protest Committee:

1. The host body shall appoint a Protest Committee which is to be made up of at least three (3) people who are familiar with the rules and who are knowledgeable in the game of softball. Two of these three (3) will include the Delegate and the UIC that were assigned to the Championship by Softball Manitoba.
2. Any properly registered protest, as defined **below**, must be considered and decided upon before the game may continue.
  - a) **The Protest Committee for all Provincial Championships shall consist of three (3) people selected by the Softball Manitoba Delegate as outlined below:**
    - i) the Softball Manitoba Delegate or Assistant Delegate
    - ii) the Umpire-in-Chief or Deputy Umpire-in-Chief
    - iii) an individual appointed by the Softball Manitoba Delegate
  - b) **All game play protests must be made at the time of the play in question (i.e., before the next pitch). The home plate umpire must announce the outcome of the protest.**
  - c) **There shall be no protests on:**
    - i) the rescheduling of games
    - ii) the contents of a line-up card

Please return by **October 26, 2021** to Softball Manitoba via email to [softball@softball.mb.ca](mailto:softball@softball.mb.ca).



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- c) Upon arrival of the Protest Committee, the protesting team will supply the committee with the protest fee of \$250.00 (cash or certified cheque). Failure to do this will nullify the protest and the game shall continue immediately. If the protest is upheld, the fee will be returned after the game.

### RATIONALE

Protests deal with game play and should be in the General Operating Rules and not in the By-Laws. Protests are to be decided/finalized on the diamond before play resumes. If a team would like to further question the decision, they would need to file an appeal. This change follows the Softball Canada application.

### FINANCIAL IMPLICATIONS

FINAL IMPLICATIONS:  Carried  Amended  Withdrawn  Defeated