

**COLE HARBOUR COMETS MINOR SOFTBALL  
MEMORANDUM OF ASSOCIATION & BY-LAWS**

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## **ARTICLE 1**

### **NAME**

1.0 The Association shall be called Cole Harbour Comets Minor Softball Association, hereinafter referred to as Comets.

## **ARTICLE 2**

### **GENERAL**

2.0 This Memorandum of Association applies to all levels and divisions (competitive and non-competitive) which fall under the jurisdiction of Comets.

2.1 This document is intended to provide the guidelines and rules under which Comets will function consistent with Softball Nova Scotia's Memorandum of Association, By-Laws and operating rules. Its main objective will always be to provide a positive and consistent framework.

2.2 The information in this document is forward looking and will not overrule decisions made prior to its adoption.

## **ARTICLE 3**

### **AIMS AND OBJECTIVES**

3.0 The aims and objectives of Comets are:

- a) To organize and promote softball activities
- b) To develop player skills and encourage the principles of good sportsmanship and fair play.
- c) To encourage participation with other softball associations for the betterment of minor softball.
- d) To encourage participation for all levels and individuals to participate in Local, Regional, Provincial and National Competitions, including Canada Games.
- e) To acquire by way of grant, gift, purchase, bequest or otherwise real and personal property and to use and apply such property to the realization of the objectives of the Association.
- f) To buy, own, hold, lease, mortgage, sell and carry such real and personal property as may be necessary or desirable in carrying out the objectives of the association.

PROVIDED that nothing herein contained shall permit Comets to carry on any trade, industry, or business and Comets shall be carried on without purpose of gain to any of the

members and that any surplus or any accretions of Comets shall be used solely for purposes of Comets and the promotion of its objectives.

PROVIDED, further, that if for any reason, the operations of Comets are terminated, or are wound up, or are dissolved and there remains, at that time, after satisfaction of all its debts and liabilities, any properties whatsoever, the same shall be paid to Softball NS to be held in trust in the event of a future Cole Harbour Comets Association.

## **ARTICLE 4**

### **MEMBERSHIP**

4.0 Membership in this association shall include all registered players of Comets, and their parents/guardians, Coaches, Assistant Coaches and Team Managers of House/Rep Teams, the Executive and Non-Executive Committees.

4.1 Every member of the Association shall be entitled to attend the annual general meeting (AGM) of Cole Harbour Comets Minor Softball Association.

4.2 Voting privileges – Every member in good standing\* with the Association shall be entitled vote as follows:

***\*Members not in good standing shall be defined as any member under suspension (suspension revokes all voting privileges under Article 4.2 for the duration of the suspension); and members with outstanding registration fees.***

- a) Every family/household shall be entitled to **one** vote at the annual general meeting, regardless of the number of registered players.
- b) Provided that the Executive Committee, Non-Executive Committee, Coaches, Assistant Coaches and Team Members have not voted in accordance with Section 4.2(a), they shall be entitled to **one** vote.
- c) Registered players, age 18 or older as of December 31<sup>st</sup> of the current year, and provided that a vote has not already been cast in accordance with Sections 4.2(a) or 4.2(b), they shall be entitled to **one** vote.

**Votes in accordance with Article 4 are non-transferrable and there shall be no proxy voting.**

4.3 Membership boundaries are as defined in Softball Nova Scotia's Memorandum of Association.

4.4 Members of the Cole Harbour Comets are not permitted to play as a member of any team not affiliated with Cole Harbour Minor Softball Association.

**The following exceptions will apply:**

- School play
- Provincial Program, Eastern Canadians, Nationals, NAIG and Canada Games.

4.5 Any players that have tried out for a Comets Rep team but were unsuccessful in making the team may be eligible to be picked up by another Association or Team. However a player that does not tryout for a Comets Rep team (provided there is a team to try out for), or if the Player tries out for, is successful, and then decides not to continue with the team will not be eligible to play for other Associations or teams in Tournaments, unless discussed and approved by the executive for Canada Games teams or Softball Nova Scotia Provincial Teams.

## **ARTICLE 5**

### **THE EXECUTIVE COMMITTEE**

5.0 The executive committee shall be comprised of the following positions:

- a) President
- b) Past President
- c) Vice President
- d) Secretary
- e) Treasurer
- f) Social Media Coordinator
- g) Director of Player and Coach Development
- h) Equipment Manager

### **EXECUTIVE CRITERIA**

5.1

- a) The term of office for the Executive Committee members shall be for one year.
- b) No person shall hold more than one position on the executive.
- c) Each member of the executive committee is entitled to one vote at executive committee meetings.

- d) Any member in good standing of the Association shall be eligible to be an elected office of the Association. Executive members shall be elected by members at each annual general meeting of the Association.
- e) At the first annual general meeting of the Association and at every succeeding annual general meeting all the executive members shall retire from office but shall hold office until the dissolution of the meeting at which time their successors are elected. Retiring officers shall be eligible for re-election.
- f) If any vacancy occurs on the executive throughout the year, the executive may elect to appoint one of the elected non-executive members to fill the vacancy, or they may hold a general meeting to have an election to fill the position(s).
- g) A person **must** be 18 years of age or older to hold an executive position.

## **EXECUTIVE COMMITTEE MEMBERS JOB DESCRIPTIONS**

### 5.2

#### **PRESIDENT**

- shall preside at the annual general and executive meetings of the Association.
- shall provide leadership in administering Association policies.
- shall have full knowledge of all association activities.
- shall be a signing officer of the association. \*
- shall represent the Association at all meetings regarding softball activities and municipal business as required.
- shall act as a liaison between SNS and the organization
- shall work with other organizations to build schedules and ensure consistency of rules for the house league division
- shall ensure all executive members, volunteers, coaches and support staff have the required training, and background checks
- shall provide an overview of the previous year's activities to the membership at the annual general meeting.
- shall attend the Softball Nova Scotia Annual General Meeting

***\*Two of the three signing officers must endorse all cheque***

### **PAST PRESIDENT**

- shall be a member of the Executive Committee.
- shall assist members and provide information wherever possible on prior policy and procedure.
- shall advise the incoming executive on any unfinished business.
- In the event that the past president is no longer a member of good standing or has left the organization due to other commitments, the position shall remain vacant for the remainder of the current term.
- has voting privileges at meetings of the Executive.

### **VICE PRESIDENT**

- shall assist the president in all matters of the association.
- shall be a signing officer of the association. \*
- shall have full knowledge of all association activities.
- in the absence of the president, shall perform all the duties and exercise all powers of the president.
- shall arrange gym times for fall/winter programs
- shall arrange field and batting cage reservations during the playing season
- shall oversee all fundraising activities for the organization
- shall be responsible for ensuring that officials are scheduled for every game.
- If for any reason the president is unable to fulfill their term, the vice-president shall assume the duties and responsibilities of the President for the remainder of the current term.
- shall attend the Softball Nova Scotia Annual General Meeting

***\*Two of the three signing officers must endorse all cheques***

### **SECRETARY**

- shall keep true and accurate minutes of all general and executive meetings of the association and provide copies as necessary.
- shall prepare an agenda for all meetings.
- shall receive and compile all written correspondence in preparation for meetings, including copies as necessary.
- shall receive all written applications for executive and non-executive positions prior to the annual general meeting and compile the list of applicants for presentation at the meeting.
- shall be responsible for arranging all meetings and contacting necessary individuals.
- shall advise the members of the Annual General Meeting

## **TREASURER**

- shall receive all monies, pay all accounts and keep an accurate and detailed record of receipts and disbursement for the Association.
- updates the file with the Registrar of Joint Stock Companies.
- shall deposit all funds and securities in the name of the league.
- shall be a signing officer of the Association. \*
- shall provide a financial statement upon request.
- shall assist in the preparation of the annual budget.
- shall present a financial report for all executive meetings and for approval at all general meetings.
- shall collect all registration fees.
- shall receive and review all fundraising requests in accordance with Article 15 of this document.
- shall receive and review all written statements and receipts showing all funds raised and expenses incurred.

***\*Two of the three signing officers must endorse all cheques***

## **DIRECTOR OF PLAYER AND COACH DEVELOPMENT**

- shall organize indoor and outdoor clinics
- shall organize the coaches briefing sessions at the beginning of the season
- shall assist with selection of rep teams (provided no conflict of interest)
- shall notify all players of tryouts, clinics, practices and general Association news

## **SOCIAL MEDIA COORDINATOR**

- shall maintain the Comets Social media presence
- attend events when possible to produce social media content
- obtain scores/news and/or schedules for Comets events to share on social media
- interact with users and respond to social media messages/inquiries and comments
- support community relations including newsletters and community events
- responsible for advertising and promotion of annual registration

## **EQUIPMENT MANAGER**

- shall review all equipment requests from coaches and make recommendations regarding purchases and/or distribution to the Executive Committee.
- upon approval from the Executive Committee, shall purchase equipment and uniforms deemed necessary
- receives all new equipment when delivered.
- organizes and makes arrangements for distribution of equipment and uniforms at the beginning of each season.
- receives returned equipment at the end of the season (no later than October 31<sup>st</sup>).
- shall carry out such other duties as are assigned from time to time by the Executive Committee.

## **ARTICLE 6**

### **COACHES**

- 6.0 All coaches will be approved by the elected members of the Executive Committee.
- 6.1 If more than one person is applying for the same coaching position, then the Executive shall make the final decision by interview process. An impartial interview committee will be appointed by the President.
- 6.2 The criteria shall be, but not limited to, or necessarily in the following order:
- a) qualification (certification levels)
  - b) coaching experience (number of years)
  - c) softball/baseball experience
  - d) coaching philosophy
  - e) previous record within the Association
  - f) children within that division
  - g) discipline record
- 6.3 All coaches will be required to submit to a RCMP criminal background check and Vulnerable Sector Check every two years or as requested by the executive. This will be reimbursed by the Association.
- 6.4 All coaches must agree to abide by all rules and regulations of Softball Canada, Softball Nova Scotia, this Memorandum of Association and any by-laws of this Association.
- 6.5 All coaches shall realize that this is a developmental association and agree to teach and play by the rules as set down by this constitution and the Executive.
- 6.6 All house league coaches will be supported and encouraged to acquire certification to Level 1.



6.7 Coaches will ensure that:

- a) All house league players participate equally.
- b) All games are played according to Softball Canada rules and regulations.
- c) Each practice and game are a positive and enjoyable experience.
- d) Principles of fairness and sportsmanship are observed at all times.
- e) That players respect the rules, officials, teammates, opponents and spectators, on and off the field.
- f) Develop and improve softball skills.
- g) Ensure all members of the team shake hands of the opponent team at the end of each game.
- h) May use the house league spares list to fill a team vacancy to a maximum of 10 players.  
Coaches will not call up a player who has a regularly scheduled game for that time.

## **ARTICLE 7**

### **ANNUAL REGISTRATION AND REFUNDS:**

7.0 The annual registration for Comets Minor Softball will normally take place in April.

7.1 Registration shall be open to all interested parties 19 years of age and under.

7.2 All players shall register within their appropriate age categories, unless approved by the executive committee on a case by case basis.

7.3 All players playing on rep teams will be age appropriate.

7.4 Players may play on a higher-level rep team provided there are an insufficient number of athletes at the higher-level rep team and a sufficient number of athletes at the level they are leaving. It is also important that the player moving to the higher-level rep team is not displacing another player of equal ability. The eligibility of the player moving to the higher rep team must be requested by the rep coach and approved by the Technical Advisor with the final approval of the Executive Committee. Parents may request to have a player move to a higher-level; they can be assessed at the higher-level but must qualify in the top 40% to be eligible.

7.5 For those players wishing to gain experience at the next higher level, the Association will maintain a spares list for all house league play. A coach may call up a player from the spares list to fill a team vacancy to a maximum of ten (10) players for a house league game. The Executive will monitor the spares list to ensure the players receive fair and equitable playing time. Players will not miss their regularly scheduled games to play a call up game.

- 7.6 Players with special needs will be dealt with on an individual basis. The final decision will rest with the Executive Committee, with safety being the prime consideration.
- 7.7 In the event of a team or age division being full, new registrants will be added to the waitlist.
- 7.8 Registrants will not be accepted after registration has closed.
- 7.9 Refunds will be processed as follows:
- If requested before or by May 15, a \$25 admirative fee will be held and a refund in the remaining amount will be provided.
  - If requested by July 1, a refund of 50% will be provided
  - No refunds will be processed if a participant leaves after July 1

## **ARTICLE 8**

### **DIVISION AND LEAGUE RULES**

8.0 All minor softball house leagues in Cole Harbour will play by the rules as set down by Softball Canada.

## **ARTICLE 9**

### **TEAM SELECTION**

9.0 House league teams will be divided based on talent, experience and ability, if more than one team in one age level.

9.1 Rep teams may be selected at all levels.

9.2 The Executive Committee will decide the most appropriate league play. This may include competing with another association.

9.3 All players must be registered members in good standing of the Comets, as defined in Article 4.2 of this document.

9.4 Other alternatives may arise due to special or changed circumstances and should be considered within the spirit of this document. This may involve a player moving up or down a division based on skill levels.

### **REP TEAMS:**

9.5 Our Association will enter teams in provincials at all levels, depending upon availability of willing coaches and players.

9.6 Tryouts for rep teams must be open to all qualifying players and be conducted in a fair and equitable manner, designed and monitored by the Executive Committee.

9.7 Depending on age level, tryouts can be as early as the fall.

9.8 Selection criteria to be provided by all coaches to the executive prior to tryouts.

### **HOUSE LEAGUE TEAMS:**

9.9 Selection of teams will be organized by the executive committee. The recommended maximum team roster sizes (depending on registration numbers) are:

LTP U7 -24 players

LTP U9 -15 players

U11 -15 players

U13 -14 players

U15 -14 players

U17 -14 players

9.10 Every effort will be made to ensure that the teams are evenly balanced.

9.11 It is strongly recommended that coaches meet with parents at the start of league play. This provides an opportunity to discuss plans, outline expectations, solicit assistance, and encourage two-way communication.

## **ARTICLE 10**

### **CODE OF CONDUCT**

10.0 The Association places great value in its reputation and that of its members. In order to achieve this objective, all members are expected to conduct themselves accordingly. All members must ensure that their actions on and off the playing field demonstrate sportsmanship, fair play, and integrity.

10.1 When conducting business on behalf of the Association such as fundraising, purchasing, etc., members **MUST** follow established Association by-laws or other applicable rules. Failure to follow Association by-laws or rules will result in disciplinary action against the member or members.

10.2 Sportsmanship and fair play are fundamental objectives of the Association. All members, whether on or off the playing field, must respect the rules, officials, teammates, coaches, spectators and opponents.

10.3 Elected officials and coaches are expected to participate in Association activities and perform their respective duties. Should an elected official or coach fail to perform their respective duties, the Executive may request a review of the individuals' performance. Any such review would be conducted under the provisions of the Article 13 of these by-laws.

## **ARTICLE 11**

### **COMPLAINTS AND DISCIPLINE:**

11.0 All complaints must be submitted in writing and can be directed to any member of the Executive. The complaint must include all relevant details, including names of third-party witnesses if available. The complaint must be signed and include a contact telephone number.

11.1 Upon receipt of a complaint, the recipient must notify the Executive who will convene an Executive meeting within ten (10) days of receiving the complaint. The Executive Committee will immediately acknowledge receipt of the complaint in writing on behalf of the Executive. The Executive will advise the person or persons named in the complaint that a formal complaint has been received. The Executive will appoint an investigator to review the complaint. The investigator will be selected from the executive and, to the extent possible, be free of any personal conflict with the matter in question. The investigator must interview all parties involved including the complainant and the person or persons who are named in the complaint. After initial review by the investigator If the complaint contradicts the guidelines of the Association By-laws, the investigator may propose an immediate suspension to the person or persons named in the complaint. Third party witnesses should be interviewed whenever possible. The investigator must report back to the Executive within a timely manner based on the availability of the parties involved. If a complete and final report cannot be completed, an interim report must be filed.

11.2 The Executive will review the investigator's report and adopt as presented or request additional information. The Executive will determine the appropriate disciplinary action. A motion of the Executive must endorse any disciplinary action. The Executive will advise the subject of the complaint of the outcome and any disciplinary action that has been sanctioned by the Executive. The subject(s) of the complaint must be notified in writing and also be advised of the appeal process at the same time.

11.3 Upon receiving the decision of the Executive, the subject(s) may appeal the decision directly to the Executive. Any such appeal must be filed within seven (7) days of receiving the decision. The appeal must be directed to the President, who will then convene a special meeting of the Executive to hear the appeal. The appellant may present his case and any additional relevant information before the Executive. Upon hearing the appeal, the Executive may reverse the decision or alter the disciplinary action taken. In any event, the decision of the Executive will be final.

11.4 The Secretary will be responsible for maintaining all documentation associated with any disciplinary action. All documentation must be retained for a minimum of five (5) years.

**Softball Nova Scotia will be notified via report of all disciplinary decisions made by the Executive.**

## **ARTICLE 12**

### **ASSOCIATION MEETINGS**

- 12.0 A quorum shall consist of all Members in good standing in attendance at the time of the General Meeting.
- 12.1 The President and at least three other Executive Committee members must be present to conduct league business at meetings of the Executive Committee.
- 12.2 An Annual General Meeting will be held in the fall. The previous season's activities will be reviewed and discussed; a full financial report will be presented including an itemized list of expenditures. The election of officers will be held.
- 12.3 At least thirty (30) days' notice shall be given for the Annual General Meeting and at least seven (7) days notice for any other general meetings.
- 12.4 General Meetings other than the Annual Meeting may be called by the President, if necessary, with at least seven (7) days notice and with a clear agenda.
- 12.5 Meetings of the Executive Committee may be called by the President with at least seven (7) days notice and with a clear agenda unless all voting members agree otherwise.
- 12.6 Meetings of the Executive Committee and any or all of the Non-Executive Members may be called by the President, when necessary, with at least seven (7) days notice and with a clear agenda, unless all voting members agree otherwise.
- 12.7 Meetings of the Executive Committee may be called by a majority vote of the Executive Committee with at least seven (7) days notice and with a clear agenda unless all voting members agree otherwise.
- 12.8 The Executive is to be given notice in writing of any proposed motions affecting league by-laws at least seven (7) days prior to the Annual General Meeting.
- 12.9 Election of officers will be held by secret ballot (if more than one candidate).
- 12.10 A committee of three (3) members will be appointed to organize the voting, count the ballots for election of officers and give the results to the Chairperson of the meeting.

12.11 If a vote for election of officers is a tie, a subsequent vote may be held. In the event of another tie, the president will break the tie, if there is a conflict of interest, another elected member of the executive will be selected to break the tie.

12.12 If a vote on a motion is a tie, such motion is considered defeated.

12.13 For the purpose of effective League governance, any referral to the position of President in Article 14, may, in the absence of the President, be replaced by the word Vice President, or in the absence of the President and Vice President, any person selected by a majority of the Executive Committee.

## **ARTICLE 13**

### **FUND-RAISING AND SPONSORSHIP**

13.0 All fundraising efforts which use the words "COLE HARBOUR COMETS MINOR SOFTBALL ASSOCIATION" or any combination thereof and are conducted by any manner in the name of the league should be raised solely for league purposes and have clearly defined uses.

13.1 Teams are encouraged to seek sponsors, but the extent of their involvement is subject to the approval of the Executive Committee.

13.2 Any team involved in fundraising will advise the Vice President and provide full transparency on fundraising activities. The funds will be held by the Vice President.

13.3 The intent of all fundraising and sponsorships is for specific Softball events. Fundraising should not be undertaken for the personal enrichment of players/coaches/families etc. Examples of acceptable uses of funds obtained by fundraising or sponsors include:

- Tournament entry fees
- Out of area travel costs
- Team branded items (sweaters, hats, water bottles, etc)
- Team social events and activities

13.4. All teams are required to maintain records of projected funds required, funds raised, fund-raising expenses incurred, and disbursements of funds raised. Copies of all receipts should be kept. The executive will conduct yearly audits and reserves the right to review these records at any time. At least 7 days prior to all team fund-raising events, an email will be sent to the executive to advise of the details. In the event of any concerns, the Executive Committee will provide written notice.

13.5 If a player bank has a surplus of funds at the end of the season, they may be held in trust for one year, without interest to be used for the following season's expenses. Funds held in trust may not be used to pay for the annual Comets registration costs. After one year, if the player does not return, funds will be donated back to the Comets Association.

13.6 Any softball equipment purchased through fund-raising or acquired by sponsorship shall become the property of the Comets and must be turned over to the Equipment Manager at the end of the season.

13.7 Under **no** circumstances are League funds be used for the purchase of any alcoholic or cannabis products.

## **ARTICLE 14**

### **LOGO, UNIFORMS AND EQUIPMENT**

#### **UNIFORM**

14.0 Approved association uniforms for House league may be White, Blue, Red, or Gray, with Contrasting Colored logos, Rep team Jerseys Shall be Main color blue, and may have red accent color, with contrasting logos. Any changes must be approved by the Executive Committee.

#### **LOGO**

14.1 The Comet logo shall be on any Comets competitive uniform.

#### **EQUIPMENT**

14.2 The equipment manager is responsible for maintaining an inventory of all equipment, determining items to be repaired, presenting an order for new equipment to the Executive Committee prior to the beginning of a new season and ensuring that every team is provided with safe and proper equipment. In addition, the equipment manager must maintain accurate financial records to present to the Treasurer. It is the equipment manager's responsibility to make a reasonable effort to obtain the lowest price when purchasing equipment. All purchases must be approved by the Executive Committee prior to the purchase.

14.3 It is the responsibility of the Coach and Assistant Coach to ensure that all players use safe and proper equipment.

14.4 It is the responsibility of the Coach and Assistant Coach to return all equipment, including that acquired by way of fundraising or sponsorship, to the equipment manager within ten days of the end of the season (unless otherwise arranged).

- 14.5 Safe and Proper Equipment includes:
- a) Catcher shin pads, chest protector, mask and glove
  - b) All players to wear faceguards
  - c) First aid kit including ice pack
  - d) Bases including safety bases
  - e) New and old balls
  - f) Bats – variety of sizes
  - g) Batting helmets with face guards
  - h) Gear bag

## **ARTICLE 15**

### **LEAGUE DEVELOPMENT:**

15.0 Comets is committed to providing its players, coaches, umpires, as well as other associations a solid framework for the development of softball within and outside our province.

15.1 When possible, financial support will be provided for training for players, coaches and umpires and shall be determined on an individual basis.

15.2 Comets will work in conjunction with Softball Canada and Softball Nova Scotia for the betterment of Softball in the greater community.

15.3 Comets will adhere to all policies outlined by Softball Canada.

15.4 Learn to Play and Technical Coordinators may be hired to help coordinate programs and to run skills development clinics.

## **ARTICLE 16**

### **BY-LAWS**

16.0 The Executive is to be given notice in writing of any proposed motions affecting league by-laws at least seven (7) days prior to the Annual General Meeting.

16.1 New items can be added to the by-laws with a majority vote of the members present.

16.2 By-law amendments require a majority vote of the members to be changed.



## **ARTICLE 17**

### **CONFLICT OF INTEREST:**

17.0 Any member, employee, officer, coach, parent or guardian, volunteer, or executive member who has, potentially has, or could reasonably be perceived to have a conflict of interest in any matter, contract, agreement, transaction, or decision involving the Cole Harbour Comets Organization, must disclose the real or perceived conflict of interest to the Cole Harbour Comets Executive immediately upon recognizing its existence. All conflicts of interest must adhere to the Softball Nova Scotia Conflict of Interest Policy.