



**BEENLEIGH & DISTRICTS  
BASEBALL CLUB Inc.  
RULES OF ASSOCIATION**

**VERSION 1: FINAL August 2015**

Passed by Members: 25 August 2015

Approved by OFT:

**CONTENTS**

1 INTERPRETATION: IN THESE RULES .....	3
2 NAME .....	6
3 OBJECTS .....	6
4 POWERS .....	6
5 CLASSES OF MEMBERS.....	7
6 NEW MEMBERSHIPS .....	8
7 FEES AND CHARGES.....	9
8 ADMISSION AND REJECTION OF NEW MEMBERS.....	9
9 WHEN MEMBERSHIP ENDS .....	10
10 APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP.....	10
11 GENERAL MEETING TO DECIDE APPEAL .....	11
12 REGISTER OF MEMBERS.....	11
13 PROHIBITION ON USE OF INFORMATION ON REGISTER OF MEMBERS .....	12
14 APPOINTMENT OR ELECTION OF SECRETARY.....	12
15 REMOVAL OF SECRETARY .....	12
16 FUNCTIONS OF SECRETARY .....	13
17 MEMBERSHIP OF MANAGEMENT COMMITTEE .....	13
18 ELECTING THE MANAGEMENT COMMITTEE.....	14
19 RESIGNATION, REMOVAL OR VACANCIES OF OFFICE OF MANAGEMENT COMMITTEE MEMBER .....	15
20 VACANCIES ON MANAGEMENT COMMITTEE .....	15
21 FUNCTIONS OF MANAGEMENT COMMITTEE.....	16
22 MEETINGS OF MANAGEMENT COMMITTEE.....	17
23 QUORUM FOR, AND ADJOURNMENT OF, MANAGEMENT COMMITTEE MEETING .....	17
24 SPECIAL MEETING OF MANAGEMENT COMMITTEE.....	18
25 MINUTES OF MANAGEMENT COMMITTEE MEETINGS .....	18
26 DUTIES OF THE ASSOCIATION AND COMMITTEES .....	18
27 APPOINTMENT OF OPERATION GROUPS .....	21
28 ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS .....	21
29 RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING .....	21
30 ANNUAL GENERAL MEETINGS (AGM).....	21
31 BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING .....	22
32 NOTICE OF ANNUAL GENERAL MEETING AND GENERAL MEETINGS.....	22
33 QUORUM FOR, AND ADJOURNMENT OF, ALL GENERAL MEETINGS .....	23
34 PROCEDURE AT GENERAL MEETING .....	23
35 VOTING AT AGM OR GENERAL MEETING OF THE ASSOCIATION .....	24
36 SPECIAL GENERAL MEETING .....	24
37 MINUTES OF GENERAL MEETINGS .....	25
38 BY-LAWS.....	25
39 ALTERATION OF RULES .....	25
40 COMMON SEAL .....	26
41 FUNDS AND ACCOUNTS .....	26
42 GENERAL FINANCIAL MATTERS .....	27
43 DOCUMENTS.....	28
44 FINANCIAL YEAR .....	28
45 DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY .....	28

**1 INTERPRETATION: IN THESE RULES**

- (1) The Association or Club: Beenleigh & Districts Baseball Club Inc. Also trading as Beenleigh Hawks Baseball Club.
- (2) Act Means the Associations Incorporation Act 1981.
- (3) Position Statements means the club's Committee, operational and staff and/or volunteers position overview, position descriptions and appropriate position task sheets
- (4) Club policies and procedures mentioned throughout these rules means the club's management, administration and financial policies, procedures operating and Baseball delivery requirements and codes of conduct and similar
- (5) Member and Ordinary Member member' means a member of the Association while an 'ordinary' member mentioned in [Rule 36 \(1\)\(b\)\(ii\)](#) refers to all member classes provided a vote within the association as described in [Rule 5](#)
- (6) The Committee mentioned throughout these rules means the Management Committee for the time being of the Association
- (7) General Meetings referred to throughout these rules means the Annual General Meeting (AGM), General Meetings and Special Meetings of the Association. At such meetings the member's are provided opportunity to determine decisions.
- (8) Management Committee Meeting as mentioned in [Rule 22](#) means a meeting of elected or appointed management committee members
- (9) In writing means written, email or printed or partly written and partly printed
- (10) Words importing singular include the plural and words importing the plural include the singular
- (11) A word not defined a word or expression that is not defined in these model rules, but is defined in the Act has, if the context permits, the meaning given by the Act
- (12) The Chief Executive as mentioned in [Rule 39](#) refers to the government representative for the Office of Fair Trading (OFT) responsible for managing approvals and the compliance with the Act
- (13) Family member as mentioned in [Rule 41 \(8\)](#) refers to those who are related by birth, marriage or adoption, and includes partners and their family. It includes any persons living or cohabitating with the member regardless of their relationship to the member
- (14) Club Groups as mentioned in [Rule 26 \(5\)](#) refers to sub Committees, subgroups, project groups and/or teams of individuals selected by the Committee to assist
- (15) Membership fee as mentioned in [Rule 7 \(1\)](#) refers to the club joining fee or club membership and or annual subscription only and doesn't refer to activity costs, fees charges or activity registration
- (16) Registration Fees and Charges as mentioned in [Rule 7 \(2\)](#) refers to the clubs registration fee, which incorporates the clubs operating, activity, program affiliation and or event costs, fees and/or levies determined by the Management Committee from time to time
- (17) Player groups as mentioned in [Rule 42 \(1\) \(e\) and \(f\)](#) refers to groups such as Juniors, Girls, Seniors and Masters and any other teams from time to time

- (18) Active Life Member as mentioned in [Rule 5 \(3\)](#) means a Life Member who actively participates in, supports or contributes to a club or the association's programs, events and services within the season
- (19) Volunteer As mentioned in [Rule 5 \(2\)](#) refers to committee personnel and all volunteers selected or appointed by the committee to deliver the club's operations, programs and services for the club in an official capacity
- (20) Operational Volunteers as mentioned in [Rule 26 \(3\)\(c\)](#) means those volunteers who support the committee with operational tasks such as registrar, coordinators, coaching managers, Web Master, marketing, and those team coaches who have coached their own Childs team and or have coached many of the same players for four (4) consecutive years to name a few
- or
- means those volunteers who support the committee with operational tasks such as registrar, coordinators for uniforms, coaching officers, fundraising, marketing, canteen
- (21) General Volunteers as mentioned in [Rule 26 \(3\)\(d\)](#) means those volunteers who provide player/team support (coaches, managers, scorers), canteen support and any other positions provided in the season from time to time
- (22) Audit Requirements as mentioned in [Rule 31](#) means the audit levels determined by the Act from time to time: at the time these rules were approved **Level 1 Association** is defined under the Act as an Association that has current assets of more than \$100,000 or total revenue of more than \$100,000. This level Association requires a certified accountant or auditor to audit the Association's full financial statements
- Level 2 Association** is defined under the Act as an Association that has current assets between \$20,000 and \$100,000 and/or their total revenue is between \$20,000 and \$100,000. This level requires an Auditors Verification Statement. The statement must be provided by a certified accountant or auditor and they must verify they have sighted the Association's financial records and these records show the association has book keeping processes in place to adequately record the Association's income and expenditure and dealings with its assets and liabilities.
- (23) User Pays Financial System referenced in [Rule 42](#) and throughout these rules means a user pays fees and charges payment system: Member will be charged for what they use
- (24) Meetings of the Committee mentioned in to [Rule 22 \(1\)](#) are open to Management Committee Members only. Individual Club members are not entitled to attend these meetings. The Committee may from time to time invite a member/s to participate in a specific section of the meeting that is relevant to the member as an invited guest, if 75% of the Committee members agree. Members are provided the right to decide on matters affecting the club by vote at general meetings of the association as mentioned in [Subrule \(7\)](#)

- (25) Attendance at Meetings as mentioned in [Rule 19](#). A member is elected or appointed to the committee to ensure that the business of the association can be discharged. Hence if a member of the Committee attends less than 80% of the meetings called or fails to attend two (2) consecutive meetings without the express and unanimous approval of the Committee, their position will be declared vacant under [Rule 20](#). This rule applies regardless of any apology, written or otherwise, that may be submitted.
- (26) In Person as mentioned in [Rule 34 \(1\)](#) means that proxy voting is not allowed. A member must be in person and or able to participate in the discussion to cast a vote therefore Section 47(1) of the Act does not apply to these rules

## 2 NAME

The name of the incorporated Association is the Beenleigh & Districts Baseball Club Inc. (***the Association***).

## 3 OBJECTS

The objects of the Association are:-

- (1) To foster and deliver Sport in the Suburb of Beenleigh and surrounding areas.
- (2) To promote and encourage the playing of Baseball and to promote and develop the necessary skills of the game and a sense of sportsmanship and fair play
- (3) To provide a supportive, enjoyable and safe environment for our members.
- (4) To foster players and technical members' pathways and development
- (5) To be an affiliated member of the sport's recognised governing bodies for the Sport within the state of Queensland.

## 4 POWERS

- (1) The Association has the powers of an individual.
- (2) The Association may, for example
  - (a) enter into contracts; and
  - (b) acquire, hold, deal with and dispose of property; and
  - (c) make charges for services and facilities it supplies; and
  - (d) do other things necessary or convenient to be done in carrying out its affairs.
- (3) The Association may also issue secured and unsecured notes, debentures and debenture stock for the Association.

## 5 CLASSES OF MEMBERS

The membership of the Association shall consist of the following classes of members:

- (1) Baseball Player Members;
- (2) Volunteer Members;
- (3) Life Members;
- (4) Corporate Members.

- (1) **BASEBALL PLAYER MEMBERS** shall be any persons playing the sport conducted by the Association on payment of the subscription or such other sum as the committee may from time to time nominate and/or be declared by the Association at any General Meeting.

**Player Members shall be:-**

- (a) subject to the provisions of these Rules;
- (b) subject to the rules stipulated by the Association and the Association's governing bodies when participating in activities provided by the Association;
- (c) if over the age of eighteen (18) years, entitled to one (1) vote, on payment of their membership and registration fees;
- (d) if under the age of eighteen (18) years and on payment of their membership and registration fees, entitled to one (1) vote per family, regardless of how many player members under the age of eighteen (18) are in that family. Only a parent or legal guardian may cast the vote.
- (e) A player member over the age of eighteen (18) years shall be entitled to hold office or otherwise take part in the management of the Association and all privileges connected therewith and
- (f) The parent or legal guardian of a player member under the age of eighteen (18) years is entitled to hold office or otherwise take part in the management of the Association and all privileges connected therewith.

Player Members shall be unlimited in number.

- (2) **VOLUNTEER MEMBERS** shall be a person who is not a registered player, or parent or legal guardian of a registered player who serves on Committee or as Operational or General Volunteer described in [Rule 1 \(19\)](#).

**Volunteer Member shall be:-**

- (a) subject to the provisions of these Rules
- (b) exempt from the payment of membership fees
- (c) entitled to vote at a General Meeting
- (d) afforded all the entitlements offered to Player Member

The Volunteer Members shall be unlimited in number

- (3) **LIFE MEMBER** shall be a person who has provided meritorious services to the Association and meets the criteria as set by the Association and whose nomination has been passed by the Management Committee and confirmed by a majority of members present at the Annual General Meeting of the Association.

**Life Members shall be:-**

- (a) subject to the provisions of these Rules
- (b) exempt from the payment of membership fees only
- (c) entitled to vote at a General Meeting if the life member is an active participant in club activities as described in [Rule 1 \(18\)](#), but if the life member is a non-active member in club programs or activities, they will be entitled to speak at General Meetings of the Association but not entitled to vote
- (d) afforded all the entitlements offered to Player Members

Life Members shall be unlimited in number however no more than two (2) Life Memberships may be nominated in the period between Annual General Meetings.

- (4) **CORPORATE MEMBERS** shall be a Company, Business, Co Op, Incorporated Group or Individual who supports the Association's objectives and on payment of the subscription or such other sum as may be nominated from time to time by the Management Committee and/or declared upon the Association at any General Meeting.

**Corporate Members shall be:-**

- (a) subject to the provisions of these Rules while participating at Association functions and activities; and
- (b) not entitled to attend or vote at General of the Association or to hold office or otherwise take part in the management of the Association.

The number of Corporate Members shall be determined by the Committee from time to time.

## 6 NEW MEMBERSHIPS

- (1) An applicant for membership of the Association must be proposed by one (1) member of the Association (the proposer) and seconded by another member (the seconder).
- (2) An application for membership must be—
  - (a) in writing as defined in [Rule 1 \(9\)](#); and
  - (b) signed by the applicant and the applicant's proposer and seconder; and
  - (c) in the form decided by the Management Committee.



## 7 FEES AND CHARGES

- (1) The membership fee as mentioned in [Rule 1 \(15\)](#)
  - (a) is the amount decided by the members from time to time at a General Meeting; and
  - (b) is payable when, and in the way, the Management Committee decides.
- (2) Registration Fees and Charges as mentioned in [Rule 1 \(16\)](#)
  - (a) is the amount decided by the Management Committee from time to time and
  - (b) is payable when, and in the way, the Management Committee decides.
- (3) Annual membership subscriptions shall be payable in advance on a date determined by the Management Committee from time to time and shall be valid until the day on which the next annual subscription is payable.
- (4) No resignation, termination or forfeiture of membership shall entitle the former member to refunds of the current year's subscription or other related fees

## 8 ADMISSION AND REJECTION OF NEW MEMBERS

- (1) The Management Committee must consider an application for membership at the next Committee Meeting held after it receives, the application for membership; and the appropriate membership fee for the application.
- (2) The Management Committee must ensure that, as soon as possible after the person applies to become a member of the Association, and before the Management Committee considers the person's application, the person is advised:
  - (a) whether or not the Association has public liability insurance; and
  - (b) if the Association has public liability insurance, the amount of the insurance.
- (3) The Management Committee must decide at the meeting whether to accept or reject the application: though any application from a person or persons under a suspension order for failure to pay and or breaches of behaviour from another Baseball organisation and or any other recognised sporting club within Australia shall be denied the privileges of membership for the period of suspension, expulsion or removal.
- (4) If a majority of the members of the Management Committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.
- (5) The Secretary of the Association must, as soon as practicable after the Management Committee decides to accept or reject an application, give the applicant a written notice of the decision.

**9 WHEN MEMBERSHIP ENDS**

- (1) A member may resign from the Association by giving a written notice of resignation to the Secretary.
- (2) The resignation takes effect at—
  - (a) the time the notice is received by the Secretary; or
  - (b) if a later time is stated in the notice, the later time.
- (3) The Management Committee may terminate a member's membership if the member—
  - (a) is convicted of an indictable offence; or
  - (b) does not comply with any of the provisions of these Rules; or
  - (c) has membership fees in arrears; or
  - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Association.
- (4) Before the Management Committee terminates a member's membership, the Committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- (5) If, after considering all representations made by the member, the Management Committee decides to terminate the membership, the Secretary of the Committee must give the member a written notice of the decision.
- (6) The member is to pay all outstanding membership, activity fees, and any other money due to the Association, if the member withdraws from the Association

**10 APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

- (1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the Secretary written notice of the person's intention to appeal against the decision.
- (2) A notice of intention to appeal must be given to the Secretary within one (1) month after the person receives written notice of the decision.
- (3) If the Secretary receives a notice of intention to appeal, the Secretary must, within one (1) month after receiving the notice, call a General Meeting to decide the appeal.

## 11 GENERAL MEETING TO DECIDE APPEAL

- (1) The General Meeting to decide an appeal must be held within three (3) months after the Secretary receives the notice of intention to appeal.
- (2) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (3) Also, the Management Committee and the members of the Committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
- (4) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
- (5) If a person whose application for membership has been rejected does not appeal against the decision within one (1) month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Secretary must, as soon as practicable, refund the membership fee paid by the person.

## 12 REGISTER OF MEMBERS

- (1) The Management Committee must keep a register of members of the Association.
- (2) The register must include the following particulars for each member—
  - (a) the full name of the member;
  - (b) the postal or residential address of the member;
  - (c) the date of admission as a member;
  - (d) the date of death or time of resignation of the member;
  - (e) details about the termination or reinstatement of membership;
  - (f) any other particulars the Management Committee or the members at a General Meeting decide.
- (3) The register must be open for inspection by members of the Association at all reasonable times.
- (4) A member must contact the Secretary to arrange an inspection of the register
- (5) However, the Management Committee may, on the application of a member of the Association, withhold information about the member (other than the members full name) from the register available for inspection if the Management Committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

### 13 PROHIBITION ON USE OF INFORMATION ON REGISTER OF MEMBERS

- (1) A member of the Association must not—
  - (a) use information obtained from the register of members of the Association to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes; or
  - (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes.
- (2) Subrule (1) does not apply if the use or disclosure of the information is approved by the Association.

### 14 APPOINTMENT OR ELECTION OF SECRETARY

- (1) The Secretary must be an individual residing in Queensland, or in another State but not more than 65km from the Queensland border, who is:
  - (a) a member of the Association elected by the Association as Secretary; or
  - (b) any person who is appointed by the Management Committee.
- (2) If a vacancy happens in the office of Secretary, the members of the Management Committee must ensure a Secretary is appointed or elected for the Association within one (1) month after the vacancy happens.
- (3) If the Management Committee appoints a Secretary, other than to fill a casual vacancy on the Management Committee, the person does not become a member of the Management Committee.
- (4) However, if the Management Committee appoints a person as Secretary to fill a casual vacancy on the Management Committee, the person becomes a member of the Management Committee.
- (5) If the appointed Secretary is not remunerated for the services provided over and above reimbursements for expenses incurred while executing the duties of the position, the Appointed Secretary is deemed by these rules to be a volunteer and as such will be subject to [Rule 17 \(6\)](#).
- (6) In this rule— **casual vacancy**, on a Management Committee, means a vacancy that happens when an elected member of the Management Committee resigns, dies or otherwise stops holding office.

### 15 REMOVAL OF SECRETARY

- (1) The Management Committee of the Association may at any time remove a person appointed by the Committee as the Secretary.
- (2) The Management Committee of the Association may remove a Secretary elected by the members, though the person remains a member of the Management Committee.

## 16 FUNCTIONS OF SECRETARY

The Secretary's functions include, but are not limited to:

- (a) calling meetings of the Association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the President of the Association; and
- (b) keeping minutes of each meeting; and copies of all correspondence and other documents relating to the Association; and maintaining the register of members of the Association.

## 17 MEMBERSHIP OF MANAGEMENT COMMITTEE

- (1) The Management Committee of the Association shall be a minimum of five (5) and maximum of six (6). The Management Committee of the Association shall consist of:
  - (1) **President**
  - (2) **Secretary**
  - (3) **Treasurer**
  - (4) **Baseball Operations (Vice President)**
  - (5) **Club Operations**
  - (6) **General Committee Member (if required:-internal committee use only)**
- (2) A member of the Management Committee, other than a Secretary if appointed by the Management Committee, must be a member of the Association.
- (3) The Office Bearers of the Association shall be positions one (1) to three (3).
- (4) At each Annual General Meeting (AGM) of the Association, the members of the Management Committee must retire from office in line with subrule (5) and are eligible, on nomination, for re-election in line with subrule (6).
- (5) At the Annual General Meeting of the Association held on odd years, all positions with an odd number in the list above, if held by volunteer members of the Management Committee, shall be declared vacant. At the Annual General Meeting of the Association held on even years all even numbered positions similarly held shall be declared vacant. Any committee member whose position has been declared vacant under this sub-rule shall be eligible upon nomination for re-election subject to subrule (6)
- (6) No volunteer member of the Management Committee or the appointed Secretary as defined in [Rule 14 \(5\)](#) can hold any position on the Management Committee for more than four (4) consecutive years and must retire for a minimum of one (1) year from the committee before they will be eligible for re-election to any Management Committee position and on said retirement are entitled to hold an operational and or general volunteer position within the organisation in line with [Rule 26 \(3\)](#).
- (7) A member of the Association may be appointed to a casual vacancy on the Management Committee under [Rule 20](#).

## 18 ELECTING THE MANAGEMENT COMMITTEE

A member of the Management Committee may only be elected as follows:

- (1) Any two (2) members of the Association entitled to vote may nominate another member who is the "candidate", not in conflict with Rule 17 (6), to stand as a member of the Management Committee.
- (2) A person may be a candidate only if the person is an adult and is not ineligible to be elected as a member under section 61A of the Act.
- (3) All nominations for membership of the Management Committee are to be in writing and in the hands of the Secretary fourteen (14) days prior to the Annual General Meeting.
- (4) All candidates will be required to indicate in writing their ability to meet the skills, tasks and time required for the applied position as defined by the Association's 'Position Statements'. All prospective candidates will be required to complete the Management Committee's Position Statement nomination form and have it signed by the candidate and the two (2) nominees.
- (5) Candidates application forms must be posted in a conspicuous place in the office, on the web or usual place of meeting of the Association for at least seven (7) days immediately preceding the Annual General Meeting.
- (6) Each member of the Association present and eligible to vote at the Annual General Meeting may vote for one (1) candidate for each vacant position on the Management Committee.
- (7) In the absence of any valid written nominations, candidates may be called or accepted from the floor of the Annual General Meeting. Those nominating from the floor will be required to verbally provide the members with evidence of their ability to meet skills, tasks and time required for the specified position as defined by the Management Committee's Position Statements. The members present and eligible to vote will accept or reject the candidate's nomination based on the information provided by the candidate.
- (8) If any position has only one candidate, the members present and eligible to vote will accept or reject the nomination based on the candidate's ability to meet the Position Statement duties, if it is known. If there is doubt that the candidate possesses the skills to fill the position, the nomination shall be rejected, the position shall remain vacant until a suitable volunteer can be found under [Rule 20](#) or until such time as the Association has the ability to buy in the services of skilled personnel.
- (9) Balloting lists shall be prepared, if necessary, containing the names of the accepted candidates in alphabetical order for each position and each voting member present at the Annual General Meeting shall be entitled to vote.
- (10) If after a vote has been conducted and candidates for one (1) position remains tied and deadlocked, the members present and entitled to vote can vote to accept or reject both candidates.
- (11) If both candidates are accepted the number of committee members may be increased by one (1) additional position until such time as the position is up for re election as defined in [Rule 17 \(4\)](#)
- (12) If rejected then the position shall remain vacant until a suitable volunteer can be found under [Rule 20 \(1\)](#) or that the Association has the ability to buy in the services of skilled personnel.

## **19 RESIGNATION, REMOVAL OR VACANCIES OF OFFICE OF MANAGEMENT COMMITTEE MEMBER**

- (1) A member of the Management Committee may resign from the Committee by giving written notice of resignation to the Secretary.
- (2) The resignation takes effect at:
  - (a) the time the notice is received by the Secretary; or
  - (b) if a later time is stated in the notice, the later time.
- (3) A member may be removed from office at a General Meeting of the Association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- (4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (5) A member has no right of appeal against the member's removal from office under this rule.
- (6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.
- (7) A member of the Management Committee may be removed from their position but take up a vacant position on the Committee if it is proven they are unable to deliver their position responsibilities as stipulated in the organisation Operational Tasks Sheets as defined in [Rule 1 \(3\)](#) and or if they fail to attend official meetings of the Management Committee as described in [Rule 1\(25\)](#).
- (8) A member of the Management Committee may be removed from office and/or their membership revoked if it is proven that they fail to abide by the Association's Rules, Policies, Procedures, Codes of Conduct and Behaviour and/or position responsibilities and shall be terminated in accordance with [Rule 9](#) and provided opportunity to appeal as stipulated under [Rule 10](#).

## **20 VACANCIES ON MANAGEMENT COMMITTEE**

- (1) If a casual vacancy happens on the Management Committee, the continuing members of the Committee may appoint another member of the Association to fill the vacancy in line with [Rule 17 \(6\)](#) until the next Annual General Meeting.
- (2) The continuing members of the Management Committee may act despite a casual vacancy on the Management Committee.
- (3) However, if the number of Committee members is less than the number fixed under [Rule 23 \(1\)](#) as a quorum of the Management Committee, the continuing members may act only to:
  - (a) increase the number of Management Committee members to the number required for a quorum; or
  - (b) call a General Meeting of the Association.

## 21 FUNCTIONS OF MANAGEMENT COMMITTEE

- (1) Subject to these rules or a resolution of the members of the Association carried at a General Meeting, the Management Committee has the general control and management of the administration of the affairs, property and funds of the Association.
- (2) The Management Committee has authority to interpret the meaning of these rules and any matter relating to the Association on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

Note: The Act prevails if the Association's rules are inconsistent with the Act – see section 1B of the Act.

- (3) The Management Committee may exercise the powers of the Association:
  - (a) to borrow, raise or secure the payment of amounts in a way the members of the Association decide; and
  - (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Associations property, both present and future; and
  - (c) to purchase, redeem or pay off any securities issued; and
  - (d) to borrow amounts from members and pay interest on the amounts borrowed; and
  - (e) to mortgage or charge the whole or part of its property; and
  - (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association; and
  - (g) to provide and pay off any securities issued; and
  - (h) to invest in a way the members of the Association may from time to time decide.
- (4) For subrule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by:
  - (a) the financial institution for the Association; or
  - (b) if there is more than one (1) financial institution for the Association, the financial institution nominated by the Management Committee.



## 22 MEETINGS OF MANAGEMENT COMMITTEE

- (1) Subject to this Rule, the Management Committee may meet as described in [Rule 1 \(24\)](#) and conduct its proceedings as it considers appropriate.
- (2) The Management Committee must meet a minimum of four (4) times a year to exercise its functions and at least two such meetings must be conducted within the official Baseball season.
- (3) The Management Committee must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the Management Committee.
- (5) The Management Committee may hold meetings, or permit a Committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (6) A Committee member who participates in the meeting as mentioned in subrule (5) is taken to be present at the meeting.
- (7) A question arising at a Committee Meeting is to be decided by a majority vote of members of the Committee present at the meeting and, if the votes are equal, the question is decided in the negative.
- (8) A member of the Management Committee must not vote on a question about a contract or proposed contract with the Association if the member has an interest in the contract or proposed contract and, if the member does vote, the members vote must not be counted.
- (9) The President is to preside as Chairperson at a Management Committee Meeting.
- (10) If there is no President or if the President is not present within ten (10) minutes after the time fixed for a Management Committee Meeting, the members may choose one (1) of their number to preside as Chairperson at the meeting.

## 23 QUORUM FOR, AND ADJOURNMENT OF, MANAGEMENT COMMITTEE MEETING

- (1) At a Management Committee Meeting three (3) elected or appointed members are required to form a quorum.
- (2) If there is no quorum within thirty (30) minutes after the time fixed for a Management Committee Meeting called on the request of members of the Committee, the meeting lapses, other than on the request of the members of the Committee for:
  - (a) the meeting is to be adjourned for at least one (1) day; and
  - (b) the members of the Management Committee who are present are to decide the day, time and place of the adjourned meeting; or
  - (c) If a Management Committee quorum cannot be achieved, the continuing members may act as required under [Rule 20 \(3\)](#).
- (3) If, at an adjourned meeting mentioned in subrule (2a, 2b), there is no quorum within thirty (30) minutes after the time fixed for the meeting, the meeting lapses.

## **24 SPECIAL MEETING OF MANAGEMENT COMMITTEE**

- (1) If the Secretary receives a written request signed by at least 33% of the members of the Management Committee, the Secretary must call a special meeting of the Committee by giving each member of the Committee notice of the meeting within 14 days after the Secretary receives the request.
- (2) If the Secretary is unable or unwilling to call the special meeting, the President must call the meeting.
- (3) A request for a special meeting must state:
  - (a) why the special meeting is called; and
  - (b) the business to be conducted at the meeting.
- (4) A notice of a special meeting must state:
  - (a) the day, time and place of the meeting; and
  - (b) the business to be conducted at the meeting.
- (5) A special meeting of the Management Committee must be held within 14 days after notice of the meeting is given to the members of the Management Committee.

## **25 MINUTES OF MANAGEMENT COMMITTEE MEETINGS**

- (1) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Management Committee Meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes, the minutes of each Management Committee Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next Management Committee Meeting, verifying their accuracy.
- (3) The minutes compiled by the Secretary and duly signed by the Chairperson authenticating their accuracy shall be deemed as the official minutes.

## **26 DUTIES OF THE ASSOCIATION AND COMMITTEES**

### **(1) The duty of the Association to the Management Committee Personnel**

Shall be to:

- (a) ensure all individual Committee personnel are compensated for the costs associated with completing their duties in accordance with the 'Club's Committee Reimbursement Policy and Procedures'.
- (b) provide the support and training required to complete the tasks required of their position according to the Club's 'Volunteer' policies and procedures by ensuring that all Committee personnel receive appropriate:
  - (i) 'Committee Induction Training' prior to the commencement of their duties; and
  - (ii) 'Committee Task Sheet'; and
  - (iii) 'Education and/or training' required to complete their tasks or position requirements at the Association's cost.

**(2) The duties of the Management Committee to the Association**

Shall be to:

- (a) continue to develop the Association by implementing modern, efficient and effective administration, management and financial practises that support the longevity of the Association.
- (b) effectively and efficiently deliver their roles and responsibilities as stipulated under their Position Statements and Operational Task Sheets.
- (c) attend meetings, actively and constructively participate in the discussions and decision making process and know that non attendance or disruptive behaviour may result in disciplinary action or expulsion.
- (d) provide members with the support they require to develop within the constraints of the Association's financial and human capacity.
- (e) not dismiss or disregard lightly the concepts, issues or advice provided, raised or presented by members.
- (f) ensure that the differences and variances in usage and volunteer contributions are reflected in the members' affiliation fee/s.

**(3) The duties of the Management Committee to the Association Workforce Paid and/or Volunteer**

The duty to **Staff** shall be to:

- (a) undertake ongoing recruitment to ensure there are appropriately qualified and motivated personnel with sufficient time to fulfil all paid positions in the Association.
- (b) place staff based on experience, skills and/or their potential to develop the skills
- (c) provide staff with a document that clarifies the requirements of the paid position such as length of tenure, hours, entitlements, line manager, reporting process, communication requirements, review process and
- (d) provide all staff with a Position Description, Task sheet and Codes of Conduct and Behaviour.

The duty to **Volunteers** shall be to

- (a) undertake ongoing recruitment to ensure there are appropriately qualified and motivated personnel with sufficient time to fulfil all paid and or volunteer positions in the Association.
- (b) place Association volunteers based on experience, skills and/or their potential to develop the skills in order that no volunteer is placed knowingly in a position or given a task that is beyond his or her known capabilities unless adequate support is provided. If the skills cannot be obtained or supported, the volunteer shall be removed from the position or task with the option of being redeployed to a new position or task that better suits their situation and ability.
- (c) ensure that general volunteers as mentioned in [Rule 1 \(19\)](#) and [Rule 1 \(20\)](#), are rested from all voluntary duties within or for the Association for a period of not less than one (1) season after six (6) years consecutive years of service.
- (c) ensure that key operational volunteers and those coaches described in [Rule 1 \(20\)](#), are rested from all voluntary duties within or for the Association for a period of not less than one season after four (4) consecutive years continuous service.

- (d) ensure that general volunteers and team volunteers as mentioned in [Rule 1 \(21\)](#), are provided an off season from all voluntary duties within or for the Association

Or

- (d) ensure that general volunteers and team volunteers as mentioned in [Rule 1 \(21\)](#), other than those team coaches mentioned in [Rule 1 \(20\)](#) are provided an off season from all voluntary duties within or for the Association
- (e) ensure the needs of the Association's most valued resource, its volunteer workforce, are supported by modern volunteer policies, procedures, codes and practises.
- (f) recognise and reward the commitment and contribution of the Association's volunteers according to the club's volunteer policies, procedures and industry standards.
- (g) if the Association is unable to recruit personnel with the appropriate skills, time or commitment to key and or high risk positions the Management Committee will buy in the service/s at the members' cost.

**(4) The duty of Club Workforce Paid and/or Volunteer to the Association:-**

Shall be to:

- (a) effectively and efficiently deliver their roles and responsibilities as stipulated under their Position Statements and/or Operational Task Sheets
- (b) uphold the vision, values, goals, policies and procedures of the organisation
- (c) follow the rules of the Association, rules of the activity, codes of conduct and codes of behaviour of the Association, the sport and land owners and/or land managers
- (e) when representing the club, do so in a manner that reflects and promotes the objectives of the Association and the sport's governing bodies
- (f) know the Association is empowered to set the standard and penalties for non compliancy

**(5) The duty of the Management Committee to Club's Operational Groups/Individuals:-**

Shall be to:

- (a) provide the support required for the group to achieve the objective/s set by the Management Committee
- (b) provide the group with realistic objectives
- (c) rest individuals from their operational groups in accordance with Subrule (3)(c)
- (d) recognise and reward their individual volunteer contribution in accordance with Subrule (3)(e)

**(6) The duty of Club's Operational Groups to the Association:-**

Shall be to:

- (a) contribute to the development the Association, players and technical personnel
- (b) provide the Management Committee with realistic options for consideration within the timeframe and in the format required by the Management Committee
- (c) operate according to the roles, responsibilities and procedures established by the Management Committee
- (d) know the Association is empowered to set the standard and penalties for non compliancy.

**(7) The duty of all Baseball Players to the Association**

Shall be to:

- (a) follow the rules of the Association, rules of the activity, codes of conduct and codes of behaviour of the Association, the sport and land owners and/or land managers
- (b) when representing the club, do so in a manner that reflects and promotes the objectives of the Association and the sport's governing bodies
- (c) know the Association is empowered to set the standard and penalties for non compliancy.

**(8) The duty of all Family/Friends of Club Members /Visitors to the Association**

Shall be to:

- (a) follow the rules of the Association, rules of the activity, codes of conduct and codes of behaviour of the Association, the sport and land owners and/or land managers
- (b) when attending club competition, training or activities, do so in a manner that reflects and promotes the objectives of the Association and the sport's governing bodies
- (c) know the Association is empowered to set the standard and penalties for non compliancy.

**27 APPOINTMENT OF OPERATION GROUPS**

- (1) The Management Committee may appoint a group consisting of members of the Association considered appropriate by the Committee to help with the conduct of the Associations operations.
- (2) The Management Committee will determine the manner in which the group will operate and report from time to time.

**28 ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS**

- (1) An act performed by the Management Committee, an operational group or a person acting as a member of the Management Committee is taken to have been validly performed.
- (2) Subrule (1) applies even if the act was performed when:
  - (a) there was a defect in the appointment of a member of the Management Committee, operational group or person acting as a member of the Management Committee; or
  - (b) a Management Committee member, operational group or person acting as a member of the Management Committee was disqualified from being a member.

**29 RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING**

- (1) A written resolution signed by each member of the Management Committee is as valid and effectual as if it had been passed at a Committee Meeting that was properly called and held.
- (2) A resolution mentioned in subrule (1) may consist of several documents in like form, each signed by one (1) or more members of the Committee.

**30 ANNUAL GENERAL MEETINGS (AGM)**

Annual General Meeting must be held at least once each year and within **6 months** after the end date of the Association's reportable financial year.

**31 BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING**

- (1) The following business must be conducted at each Annual General Meeting of the Association:
  - (a) Opening, recording of attendance and apologies
  - (b) President's address and welcome
  - (c) Approval of minutes of the previous Annual General Meeting
  - (d) Business arising from the minutes
  - (e) Election of Life Members, Service Award recipients and Merit Certificate recipients
  - (f) Financial Report and its receipt for the last reportable financial year (audit) as required by Law and mentioned in [Rule 1 \(22\)](#)
  - (g) Appointment of an auditor for the new financial year
  - (h) Approval of the Association membership fee for the next financial year
  - (i) Committee recommendations
  - (j) Notice of motions
  - (k) Election for members of the Management Committee.

**32 NOTICE OF ANNUAL GENERAL MEETING AND GENERAL MEETINGS**

- (1) The Secretary may call a General Meeting of the Association.
- (2) The Secretary must give at least fourteen (14) days notice of the meeting.
- (3) If the Secretary is unable or unwilling to call the meeting, the President must call the meeting.
- (4) The Management Committee may decide the way in which the notice must be given.
- (5) However, notice of the following meetings must be given in writing:
  - (a) a meeting called to hear and decide the appeal of a person against the Management Committee's decision—
    - (i) to reject the person's application for membership of the Association; or
    - (ii) to terminate the person's membership of the Association;
  - (b) a meeting called to hear and decide a proposed special resolution of the Association.
- (6) A notice of a General Meeting must state the business to be conducted at the meeting.

### 33 QUORUM FOR, AND ADJOURNMENT OF, ALL GENERAL MEETINGS

- (1) The quorum for a General Meeting is nine (9) members present and eligible to vote.
- (2) No business may be conducted at a General Meeting unless there is a quorum of members when the meeting proceeds to business.
- (3) If there is no quorum within thirty (30) minutes after the time fixed for a General Meeting called on the request of members of the Management Committee or the Association, the meeting lapses.
- (4) In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.
- (5) The Chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (6) If a meeting is adjourned under subrule (4), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (7) The Secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least thirty (30) days.
- (8) If a meeting is adjourned for at least thirty (30) days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

### 34 PROCEDURE AT GENERAL MEETING

- (1) A member may take part and vote in a General Meeting in person, or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (2) A member who participates in a meeting as mentioned in subrule (1) is taken to be present at the meeting.
- (3) At each General Meeting:
  - (a) the President is to preside as Chairperson; and
  - (b) if there is no President or if the President is not present within fifteen (15) minutes after the time fixed for the meeting or is unwilling to act, the members present must elect one (1) of their number to be Chairperson of the meeting; and
  - (c) the Chairperson must conduct the meeting in a proper and orderly way; and
  - (d) accordingly members must conduct their manner and behaviour properly and according to the direction of the Chair and the majority of members' wishes.

### 35 VOTING AT AGM OR GENERAL MEETING OF THE ASSOCIATION

- (1) At a General Meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present and eligible to vote.
  - (a) A **special resolution** must be passed by at least 75% of the members present and eligible to vote.
- (2) Each member present and eligible to vote is entitled to one (1) vote as mentioned in [Rule 5](#) and, if the votes are equal, the motion, matter, or resolution shall be determined to retain the status quo.
- (3) A member is not entitled to vote at a General Meeting if the member's membership and or registration fee is outstanding at the date of the meeting.
- (4) The method of voting is to be decided by the Management Committee.
- (5) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.
- (6) If a secret ballot is held, the Chairperson must appoint two (2) members to conduct the secret ballot in the way the Chairperson decides.
- (7) The result of a secret ballot as declared by the Chairperson is taken to be a resolution of the meeting at which the ballot was held.
- (8) At a Special General Meeting only those questions, matters or resolutions that are circulated to members within the 'Notice of Meeting' issued in accordance with these Rules may be discussed and determined by the members present and eligible to vote at the meeting.

### 36 SPECIAL GENERAL MEETING

- (1) The Secretary must call a Special General Meeting by giving each member of the Association notice of the meeting within fourteen (14) days after:
  - (a) being directed to call the meeting by the Management Committee; or
  - (b) being given a written request signed by—
    - (i) at least three (3) who at the time of signing the request are members of the Management Committee; or
    - (ii) at least eleven (11) ordinary members as described in [Rule 1 \(5\)](#) of the Association when the request is signed
  - (c) being given a written notice of an intention to appeal against the decision of the Management Committee:
    - (i) to reject an application for membership; or
    - (ii) to terminate a person's membership.
- (2) A request mentioned in subrule (1)(b) must state:
  - (a) why the Special General Meeting is being called; and
  - (b) the business to be conducted at the meeting.



- (3) A Special General Meeting must be held within three (3) months after the Secretary:
  - (a) is directed to call the meeting by the Management Committee; or
  - (b) is given the written request mentioned in subrule (1)(b); or
  - (c) is given the written notice of an intention to appeal mentioned in subrule (1)(c).
- (4) If the Secretary is unable or unwilling to call the special meeting, the President must call the meeting.
- (5) A Special General Meeting called in line with subrule 1 to 4 must be conducted in accordance with Rule 34 and 35.

### 37 MINUTES OF GENERAL MEETINGS

- (1) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each General Meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes:
  - (a) the minutes of each General Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next General Meeting, verifying their accuracy; and
  - (b) the minutes of each Annual General Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next meeting of the Association that is a General Meeting or Annual General Meeting, verifying their accuracy.
  - (c) the minutes compiled by the Secretary and duly signed by the Chairperson authenticating their accuracy shall be deemed as the official minutes.
- (3) If asked by a member of the Association, the Secretary must, within twenty-eight (28) days after the request is made:
  - (a) make the minute book for a particular General Meeting available for inspection by the member at a mutually agreed time and place; and
  - (b) give the member copies of the minutes of the meeting.
- (4) The Association may require the member to pay the reasonable costs of providing copies of the minutes.

### 38 BY-LAWS

- (1) The Management Committee may make, amend or repeal By-laws, not inconsistent with these rules, for the internal management of the Association.
- (2) A By-law may be set aside by a vote of members at a General Meeting of the Association.

### 39 ALTERATION OF RULES

- (1) Subject to the Act, these rules may be amended, repealed or added to **by a special resolution** as defined in [Rule 35 1 \(a\)](#) carried at a General Meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by the Chief Executive as defined in [Rule 1 \(12\)](#).

#### 40 COMMON SEAL

- (1) The Management Committee must ensure the Association has a common seal.
- (2) The common seal must be:
  - (a) kept securely by the Management Committee; and
  - (b) used only under the authority of the Management Committee.
- (3) Each instrument to which the seal is attached must be signed by a member of the Management Committee and countersigned by:
  - (a) the Secretary; or
  - (b) another member of the Management Committee; or
  - (c) someone authorised by the Management Committee.

#### 41 FUNDS AND ACCOUNTS

- (1) The funds of the Association must be kept in an account in the name of the Association in a financial institution decided by the Management Committee.
- (2) The Management Committee is required to keep a separate bank account to general funds for the express purpose of managing the organisations obligations to:
  - (a) asset, facility, and equipment maintenance, repair, replacement and development
  - (b) government taxes, superannuation and BAS (if the Association is required by law)
- (3) The funds as mentioned in subrule (2)(a) may only be used for the purpose described within this subrule, unless 75% of members present at a General Meeting determine differently.
- (4) The funds as mentioned in subrule (2)(b) may only be used for the purpose described within this subrule, though all established surpluses at the end of the Government reporting timeframe may be transferred to general funds.
- (5) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Association.
- (6) All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- (7) A payment by the Association of one hundred dollars (\$100) or more must be made by cheque or electronic funds transfer that has been pre approved by the Management Committee.
- (8) If a payment of one hundred dollars (\$100) or more is made by cheque or electronic funds transfer , the cheque or transfer must be signed by any two (2) of the following not a family member as defined in [Rule 1 \(13\)](#):
  - (a) the President
  - (b) the Secretary
  - (c) the Treasurer
  - (d) any other members of the Association authorised by the Management Committee.

However, one (1) of the persons who signs the cheque or authorises the payment electronically must be the President, the Secretary or the Treasurer.

- (9) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.
- (10) The Association is entitled and authorised under these Rules to hold any number of Bank Debit Cards if determined by the management committee to be required and the management committee will ensure no individual card value exceeds the value of five hundred dollars (\$500) and that the total value of all cards issued by the Management committee does not exceed one thousand dollars (\$1000) at any one time.
- (11) The use of the debit card will be determined by the Management Committee in line the financial expenditure and reporting requirements of these rules and good financial management practises.
- (12) A petty cash account must be kept on the imprest system, and the Management Committee must decide the amount of petty cash to be kept in the account.
- (13) All expenditure must be approved or ratified at a Management Committee Meeting.

## 42 GENERAL FINANCIAL MATTERS

### (1) The duty of Management Committee

Shall be to:

- (a) The Management Committee will set, administer and manage payment and payment compliancy utilising modern financial management practise
- (b) Manage the Association under a user pays financial management system as described in [Rule 1 \(23\)](#) and ensure this system applies to all users irrespective of their membership status or usage
- (c) Develop and operate an Association budget annually and this budget must report the projected income and expenditure against the previous year's actual income and expenditure (if available)
- (d) Sight and sign the most recent bank statement at each official Committee Meeting.
- (e) All funds raised, collected or paid by specific players, groups, fundraising or sponsors of individuals/groups is to be held in the Association's accounts for distribution by the Management Committee in accordance with Subrule (6). The Treasurer will be required to record and report these items separately within their financial report/s.
- (f) All funds raised, collected and or paid specifically by individual player group as defined in [Rule 1 \(17\)](#), will be held by the Association for their express use and or development unless the members eligible to vote of this group agree at a General or Special Meeting of the Association.
- (g) The income and property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers.

**(2) The duty of Treasurer**

Shall be to:

- (a) keep the financial records electronically and store said records in the cloud to mitigate risk to the club and
- (b) provide a written financial report at every official meeting of the Committee

Each report must include a minimum of the following:

- (i) the budgeted (expected) income and expenditure forecast against the actual income and expenditure for the report period
  - (ii) produce the most recent bank statements for all Committee members to view and sign.
- (c) On behalf of the Management Committee, the Treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared in the manner required by the Act as defined [Rule 1 \(2\)](#).

**43 DOCUMENTS**

The Management Committee must ensure the safe custody of books, documents, instruments of title and securities of the Association.

**44 FINANCIAL YEAR**

The end date of the Association's financial year is 31 December in each year and the Association's Annual General Meeting is to be conducted before the end of the main Baseball season while members are still active unless the members agree at a Special General Meeting to an alternative time.

**45 DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY**

- (1) This rule applies if the Association:
  - (a) is wound-up under part 10 of the Act; and
  - (b) has surplus assets.
- (2) The surplus assets must not be distributed among the members of the Association.
- (3) The surplus assets must be given to another Baseball entity:
  - (a) having objects similar to the Association's objects; and
  - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
- (4) In this rule— surplus assets see section 92(3) of the Act.