
SUNSHINE COAST BASEBALL ASSOCIATION INC.

CONSTITUTION & RULES OF ASSOCIATION

VERSION 1: 4TH APRIL 2018

PASSED BY MEMBERS: DD MMMM YYYY

Approved by OFT: DD mmmm YYYY

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SUNSHINE COAST BASEBALL ASSOCIATION INC

1 INTERPRETATION: IN THESE RULES

(1) The Association or Club	Sunshine Coast Baseball Association Inc.
(2) Act	means the <i>Associations Incorporation Act 1981</i> .
(3) Position Statements	means the association'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 association's management, administration and financial policies, procedures operating and T-Ball and Baseball delivery requirements and codes of conduct and similar
(5) Member and Ordinary Member	means a member of the Association while an 'ordinary' member mentioned in Rule 39 (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 members are provided opportunity to determine decisions.
(8) Management Committee Meeting	as mentioned in Rule 23 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 43 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 45 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	refers to sub Committees, subgroups, project groups and/or teams of individuals selected by the Committee to assist.

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(15) Membership fee	as mentioned in Rule 8 (1) refers to the association joining fee or association 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 8 (2) refers to the association's registration fee, which incorporates the association's operating, activity, program affiliation and or event costs, fees and/or levies determined by the Management Committee from time to time
(17) Player groups	refers to groups such as Juniors, T-Ballers, Seniors and Masters and any other teams from time to time
(18) Active Life Member	as mentioned in Rule 5 (1)(c) 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 (1)(b) refers to committee personnel and all volunteers selected or appointed by the committee to deliver the association's operations, programs and services for the association in an official capacity
(20) Operational Volunteers	as mentioned in Rule 27 (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 child's 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 27 (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 33 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

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	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 46 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 23 are open to Management Committee Members only. Individual association 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 association 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 Sunshine Coast Baseball Association Inc. (***the Association***).

3 OBJECTIVES

The objectives of the Association are:

- (1) To foster and deliver Sport in the greater Sunshine Coast region and surrounding areas.
- (2) To promote and encourage the playing of Baseball and T-Ball and to promote and develop the necessary skills of the games 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) Willingness to provide services to people of all ages, sexes, abilities and cultures for a not for profit purpose.
- (6) To be an affiliated member of the recognised governing bodies for the sport and with the relevant state sporting organisation 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 take over the funds and other assets and liabilities of the present unincorporated association known as Sunshine Coast Baseball (the **unincorporated association**).
- (4) The Association may also issue secured and unsecured notes, debentures and debenture stock for the Association.

5 CLASSES OF MEMBERS

(1) The membership of the Association consists of ordinary members, in any of the following classes of members:

- (a) Player Members;
- (b) Volunteer Members;
- (c) Life Members;
- (d) Honorary Members.

(a) **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.
- (g) Player Members shall be unlimited in number.

(b) **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
- (e) the Volunteer Members shall be unlimited in number.

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(c) LIFE MEMBERS 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 association activities as described in Rule 1 (18), but if the life member is a non-active member in association 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.
- (e) 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.

(d) HONORARY 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 or Management Committee meeting.

Honorary 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 Meeting of the Association or to hold office or otherwise take part in the management of the Association.
- (c) the number of Honorary Members shall be determined by the Committee from time to time.

(2) Ordinary members shall be unlimited in number.

6 AUTOMATIC MEMBERSHIP

A person who, on the day the association is incorporated, was a member of the unincorporated association and who, on or before a day fixed by the management committee, agrees in writing to become a member of the incorporated association, must be admitted by the management committee –

- (a) To the equivalent class of membership; or
- (b) If there is no equivalent class of membership – as an ordinary member.

7 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.

(3) Membership is adopted when the applications are tabled at a Management Committee Meeting where they are proposed and seconded by the Management Committee.

8 FEES AND CHARGES

(1) The membership fee as mentioned in Rule 1 (15)

- (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.

(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.

(5) A member of the incorporated association who, before becoming a member, has paid the members annual subscription for membership of the unincorporated association on or before a day fixed by the management committee, is not liable to pay a further amount of annual subscription for the period before the day fixed by the management committee as the day on which the next annual subscription is payable.

9 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 –

- a. the application for membership; and
- b. 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.

10 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 for at least 2 months; 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

11 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.

12 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.

13 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.

14 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.

15 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 of the following persons appointed by the Management Committee.
 - (i) A member of the associations management committee
 - (ii) Another member of the association
 - (iii) Another person
- (2) If the association has not elected an interim officer as secretary for the association before its incorporation, the members of the management committee must ensure a secretary is appointed or elected for the association within 1 month of incorporation.
- (3) 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.
- (4) If the Management Committee appoints a person mentioned in subrule (1)(b)(ii) as Secretary, other than to fill a casual vacancy on the Management Committee, the person does not become a member of the Management Committee.
- (5) 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.
- (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.
- (7) 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 18 (5).

16 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) If the management committee removes a secretary who is a person mentioned in rule 15(1)(b)(i), the person remains a member of the management committee.
- (3) If the management committee removes a secretary who is a person mentioned in rule 15(1)(b)(ii), and who has been appointed to a casual vacancy on the management committee under rule 15(5), the person remains a member of the management committee.

17 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
- (c) keeping copies of all correspondence and other documents relating to the Association; and
- (d) maintaining the register of members of the Association.

18 MEMBERSHIP OF MANAGEMENT COMMITTEE

- (1) The Management Committee of the Association shall consist of:

- (1) President
- (2) Treasurer
- (3) Vice President
- (4) Assistant Treasurer
- (5) General Manager
- (6) Assistant General Manager

And any other members of the association members elect at a general meeting.

- (2) A member of the Management Committee, other than a Secretary appointed by the Management Committee under rule 15(1)(b)(iii), must be a member of the Association.
- (3) At each Annual General Meeting (AGM) of the Association, the members of the Management Committee must retire from office in line with subrule (4) and are eligible, on nomination, for re-election in line with subrules (5) and (6).
- (4) 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 (5).
- (5) No volunteer member of the Management Committee or the appointed Secretary as defined in Rule 15 (7) can hold the same position on the Management Committee for more than four (4) consecutive years.
- (6) A member of the Management Committee who holds office in any position for 10 years in the aggregate, is not eligible for election until the Annual General Meeting which follows the Annual General Meeting at which the maximum period was completed.
- (7) A member of the Association may be appointed to a casual vacancy on the Management Committee under Rule 21
- (8) A maximum of two family members may serve on the management committee at one time.

19 ELECTING THE MANAGEMENT COMMITTEE

- (1) A member of the Management Committee may only be elected as follows:
 - a. Any two (2) members of the Association entitled to vote may nominate another member (the **candidate**), not in conflict with Rules 18(5) and 18(6), to serve as a member of the Management Committee;
 - b. The nomination must be -
 - i. in writing; and
 - ii. signed by the candidate and the members who nominated him or her; and
 - iii. given to the secretary at least 14 days before the annual general meeting at which the election is to be held;
 - c. 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.
 - d. If, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- (2) A person may be a candidate only if the person –
 - a. is an adult; and
 - b. is not ineligible to be elected as a member under section 61A of the Act.
- (3) A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, 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.
- (4) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.
- (5) The management committee must ensure that, before a candidate is elected as a member of the management committee, the candidate 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.
- (6) 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.
- (7) 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 18 (4)
- (8) 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.

20 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 10 and provided opportunity to appeal as stipulated under Rule 11.

21 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 18 (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 24(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.

22 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 (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.

23 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 at least once every 4 months to exercise its functions.
- (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.

24 QUORUM FOR, AND ADJOURNMENT OF, MANAGEMENT COMMITTEE MEETING

- (1) At a Management Committee Meeting more than 50% of the members 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,
- (3) If there is no quorum within thirty (30) minutes after the time fixed for a Management Committee Meeting called 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 21 (3).
- (4) If, at an adjourned meeting mentioned in subrule (3), there is no quorum within thirty (30) minutes after the time fixed for the meeting, the meeting lapses.

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25 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.

26 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.

27 APPOINTMENT OF OPERATION GROUPS AND SUBCOMMITTEES

- (1) The Management Committee may appoint a group or subcommittee consisting of members of the Association considered appropriate by the Committee to help with the conduct of the Associations operations.
- (2) A member of the group or subcommittee who is not a member of the management committee is not entitled to vote at a management committee meeting.
- (3) A subcommittee may elect a chairperson of its meetings.
- (4) If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.
- (5) A group or subcommittee may meet and adjourn as it considers appropriate.
- (6) A question arising at a group or subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.
- (7) The Management Committee will determine the manner in which the group or subcommittee 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 subcommittee member 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, subcommittee or person acting as a member of the Management Committee; or
 - (b) a Management Committee member, operational group or subcommittee member 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 FIRST ANNUAL GENERAL MEETING

The first annual general meeting must be held within 6 months after the end date of the association's first reportable financial year.

31 ANNUAL GENERAL MEETINGS (AGM)

Each subsequent Annual General Meeting must be held –

- (a) at least once each year; and
- (b) within **6 months** after the end date of the Association's reportable financial year.

32 BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF LEVEL 1 INCORPORATED ASSOCIATIONS AND PARTICULAR LEVEL 2 AND 3 INCORPORATED ASSOCIATIONS

- (1) This rule applies only if the association is –
 - (a) a level 1 incorporated association; or
 - (b) a level 2 incorporated association to which section 59 of the Act applies; or
 - (c) a level 3 incorporated association to which section 59 of the Act applies.
- (2) The following business must be conducted at each Annual General Meeting of the Association:
 - (a) receiving the association's financial statement, and audit report, for the last reportable financial year;
 - (b) presenting the financial statement and audit report to the meeting for adoption;
 - (c) electing members of the management committee;
 - (d) for a level 1 incorporated association—appointing an auditor or an accountant for the present financial year;

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- (e) for a level 2 incorporated association, or a level 3 incorporated association, to which section 59 of the Act applies—appointing an auditor, an accountant or an approved person for the present financial year.

33 BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF OTHER LEVEL 2 INCORPORATED ASSOCIATIONS

- (1) This rule applies only if the association is a level 2 incorporated association to which section 59 of the Act applies.
- (2) The following business must be conducted at each Annual General Meeting of the Association:
 - (a) receiving the association's financial statement, and audit report, for the last reportable financial year;
 - (b) presenting the financial statement and audit report to the meeting for adoption;
 - (c) electing members of the management committee;
 - (d) appointing an auditor, an accountant or an approved person for the present financial year.

34 BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING OF OTHER LEVEL 3 INCORPORATED ASSOCIATIONS

- (1) This rule applies only if the association is a level 3 incorporated association to which section 59 of the Act applies.
- (2) The following business must be conducted at each Annual General Meeting of the Association:
 - (a) receiving the association's financial statement, and audit report, for the last reportable financial year;
 - (b) presenting the financial statement and audit report to the meeting for adoption;
 - (c) electing members of the management committee;

35 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.

36 QUORUM FOR, AND ADJOURNMENT OF, ALL GENERAL MEETINGS

- (1) The quorum for a General Meeting is at least the number of members elected to the management committee at the close of the association's last General Meeting plus one (1).
- (2) However, if all members of the association are members of the management committee, the quorum is the total number of the members less one (1)
- (3) No business may be conducted at a General Meeting unless there is a quorum of members when the meeting proceeds to business.
- (4) 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.
- (5) If there is no quorum within thirty (30) minutes after the time fixed for a General Meeting called other than on the request of members of the Management Committee or the Association –
 - (a) The meeting is to be adjourned for at least seven (7) days
 - (b) The management committee is to decide the day, time and place of the adjourned meeting.
- (6) 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.
- (7) If a meeting is adjourned under subrule (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

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- (8) 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.
- (9) 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.

37 PROCEDURE AT GENERAL MEETING

- (1) A member may take part and vote in a General Meeting in person, by attorney 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.

38 VOTING AT AGM OR GENERAL MEETING OF THE ASSOCIATION

- (1) At a General Meeting, each question, matter or resolution, must be decided by a majority of votes of the members present and eligible to vote.
- (2) Each member present and eligible to vote is entitled to one (1) vote and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.
- (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.

39 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 33% of the number of members of the Management Committee when the request is signed; or
 - ii) at least the number of ordinary members as described in Rule 1 (5) of the Association equal to double the number of members of the association on the management committee when the request is signed plus 1; or
 - (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.

40 PROXIES

The association does not allow proxy voting.

41 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.
- (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.

42 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.

43 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).

44 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.
- (4) 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.

45 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) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
- (3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- (4) 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.
- (5) 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 Vice President
 - (c) the Treasurer
 - (d) any 1 of 3 other members of the Association authorised by the Management Committee.
- (6) However, one (1) of the persons who signs the cheque or authorises the payment electronically must be the President, the Vice President or the Treasurer.
- (7) When two members of one family serve on the management committee at one time, only one shall be an authorised signatory to the account.
- (8) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.
- (9) 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.
- (10) All expenditure must be approved or ratified at a Management Committee Meeting.

46 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
- (2) 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
- (3) 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)
- (4) 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).
- (5) 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.
- (6) The income and property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers.
- (7) 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.

47 DOCUMENTS

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

48 FINANCIAL YEAR

The end date of the Association's financial year is the 30th of June in each year.

49 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 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.