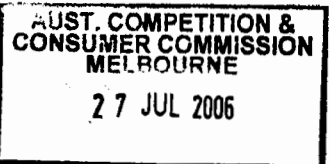




PACIFIC COAST BASEBALL LEAGUE INC.

Affiliated To The NSW Baseball League Inc.

25 July 2006



Ms Jamie Norton
Assistant Director
Adjudication Branch
Australian Competition & Consumer Commission
GPO Box 520
MELBOURNE VIC 3001

Dear Ms Norton,

Firstly, many thanks to yourself and team in holding the review hearing in respect of the matter for the License Merchandising for the Australian Baseball Federation last Monday.

As promised at the meeting, I am enclosing a copy of the New South Wales Baseball League Inc. financial accounts for the year ending 31 March 2006.

At the hearing last Monday statements were made by representatives of the ABF in respect of the position of the Hills Juniors Baseball Association, specifically Mr Peter Schmidt. At the time I said nothing, although perplexed, because I had exchanges with Mr Schmidt and did not know there was a change in his position on the matter nor the junior association he represents. I contacted Mr Schmidt after the hearing and have been forwarded the attached correspondence, which Mr Schmidt has asked to be on forward to you. This includes: a) The Hills Juniors original letter to the ACCC dated 6 July 2006; and b) A fax cover letter addressed to me dated yesterday, confirming his and the association's position in respect of this matter.

Lastly, I am enclosing a copy of the letter my solicitor received from the Consumer and Business Affairs office of South Australia in response of our enquiries pertaining to the assertions by the ABF that the name 'Baseball Australia' would be registered in South Australia. This letter was forwarded to the ABF on 16 December 2005.

Thanking you for your assistance with this matter.


Luis Almenara

FILE No.
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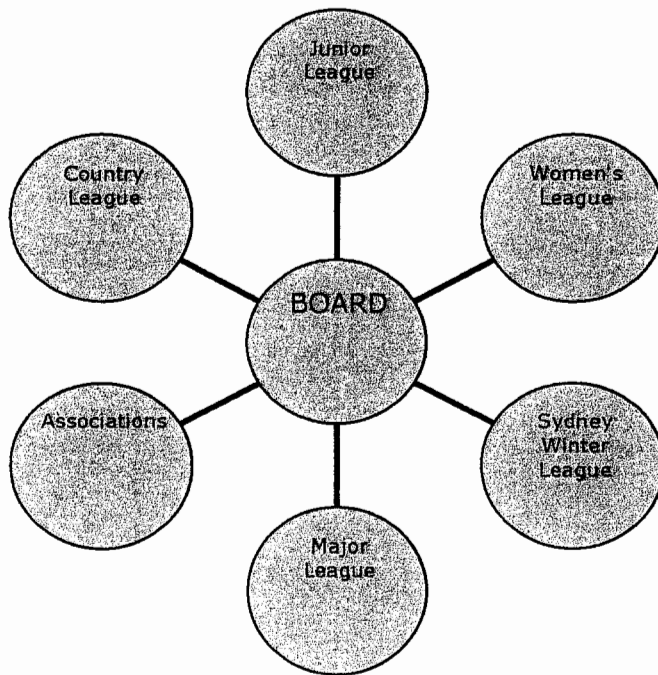
**NEW SOUTH WALES
BASEBALL LEAGUE INC.**

AGM 2006

63rd Annual Report
For the year ended
31st March 2006

Promote the objects of the League, and in particular the object to create a single uniform entity to conduct, promote, encourage and administer the sport of Baseball in New South Wales....."One Baseball"

Organisation Chart



❖ Board Members

- Bruce Auty, President
- Ross Halfacree (resigned April 06)
- David Hansell
- Phil Paddison
- Peter Worboys

❖ Staff

- Chief Executive Officer(s)
- Administration Officers
- Finance Officer
- Development Officers
- BOP Facility Co-ordinator

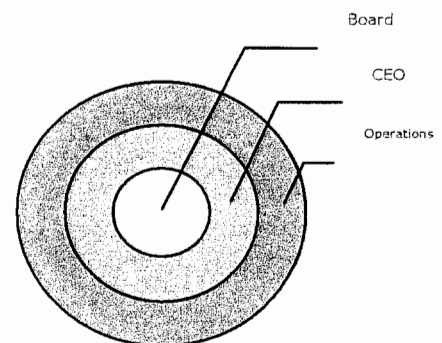
John Meers (resigned July 05)
Glen Willott (appointed Aug 05)

Christine White (resigned Dec 05)
Fay McGregor (Apr 05 ~ Feb 06)
Narelle Fox (appointed Feb 06)

Sue Smith (Apr 05 ~ Feb 06)

Garry Everson
Paul Fathers (resigned Apr 06)

Grant Johnson



Objects of the League

The League (Baseball NSW) is the peak body for the administration of the sport of baseball in New South Wales.

The Objectives of the League are outlined in the Constitution dated Sept 2003, and include

- Provide encouragement, promotion and administration
- Maintain and enhance the standards, quality and reputation of the league and Baseball for the benefit of members.
- Promote mutual trust and confidence between the League, its Members, the ABF and other Member States.
- Encourage Members to realise their potential and athletic ability.
- Undertake whatever incidental or conducive to the advancement of these objectives.

Voting Affiliates acknowledge and agree to

- Generally, have regard to the objects of the League, and in particular the object to create a single uniform entity for the conduct, promotion, encouragement and administration of the sport of baseball, and
- Abide by this Constitution.

AGENDA

1. Official opening of meeting – acknowledgement of Life Members
2. Record of Attendance.
3. Apologies
4. Confirm Minutes from 2004 – 2005 AGM
5. Matters Arising
6. Adopt Audited Financial Reports
7. Notices of Motion
8. Receive Business Reports
 - a. President's Report
 - b. CEO Report
 - c. Major League Standing Committee Report
 - d. Junior League Standing Committee Report
 - e. Country Standing Committee Report
 - f. NSWIS Report
 - g. Claxton Shield Report
 - h. Women's League Report
 - i. Operations Standing Committee Report
 - j. Winter League Standing Committee Report
 - k. NSWBUA report
 - l. State Teams Reports
9. Election of Board Members
10. Election of Life Members
11. Appointment of Auditors
12. Meeting Closed

1. Record of Attendance

Association	Players	Votes	Delegate
	2006		
Major League Standing Committee	566	2	Nigel Simmons
Auburn ML	58	1	
Baulkham Hills ML	70	1	
Blacktown ML	59	1	
Canterbury Bankstown ML	58	1	Bob Howie
Cronulla ML	48	1	
Illawarra ML	46	1	Michael McCann
Macarthur ML	52	1	Kerry Hoare
Manly ML	68	1	Fran Inkster
North Shore ML	56	1	
Ryde Eastwood ML	51	1	Reg Renouf
11		12	
Junior Leagues Standing Committee		3	Andrew Ross
Bankstown Juniors	569	2	
Cronulla Juniors	1178	3	Stephen Parkes
Cumberland Juniors	575	2	Dennis Castle
Greater Western Juniors	696	2	
Hills Junior Baseball	1070	3	Peter Schmidt
Macarthur Juniors	365	1	Kerry Hoare
Manly Warringah Juniors	818	2	Wolfgang Ammaschell
North Shore Juniors	161	1	Brian Welsh
Ryde Hornsby Juniors	1878	3	Andrew Ross
10		22	
Country League Standing Committee		3	Ian Lewis
Armidale		0	
Central Coast	695	2	Gordon Eacott
Central West		0	
Coffs Harbour	143	1	Helen Van Wyck
Hastings	109	1	Jeffrey Newkirk
Highlands		0	
Illawarra Juniors	309	1	Stephanie Thompson
Illawarra Seniors	284	1	Kevin March
Macleay Valley		1	
Manning Valley	41	1	
Newcastle	800	2	John Lambkin
Tamworth		1	Warren Williams
Wagga Wagga	1	1	Scott Dingwall
11	2382	16	
Cronulla Sutherland Minor		2	
Pacific Coast Seniors	1,487	3	Luis Almenara
3		7	
Scorers Association		1	Paul McCullough
Sydney Winter Standing Committee		1	Kerry Klugin
Umpires Association		1	John Robertson
Women's Standing Committee	107	1	Narelle Gosstray
4		4	
TOTAL VOTES		60	
TOTAL Voting Affiliates	39		
Quorum	20		

40% 4081 1683 2800 1600 4400 > 35%

**BASEBALL NSW
2004 – 2005
ANNUAL GENERAL MEETING
JUNE 29th 2005
MINUTES**

1. Meeting Opened

Bruce Auty opened the meeting at 7.45pm

2. Quorum

It was established that 22 voting affiliates were present at the meeting and as such a quorum was present.

3. Attendance

Those attending the meeting were:

Bankstown Juniors Michael Shea	Macarthur Juniors Bill Clarke	Ryde Eastwood ML Reg Renouf
Baulkham Hills ML Nigel Simmons	Macarthur ML Bill Clarke	Ryde Hornsby Juniors Andrew Ross
Canterbury ML Bob Howie	Manly Juniors Michael O'Neil	Scorers Association Paul McCullough
Central Coast Gordon Eacott	Manly ML Fran Inkster	Sydney Winter League Kerry Klujin
Country League Standing Committee Gordon Eacott	Major League Standing Committee Nigel Simmons	Umpires Association Neil Alchin
Greater Western Juniors Ray Manual	North Shore Juniors Brian Welsh	Women's League Standing Committee Mark Cordingly
Hills Juniors Peter Schmidt	North Shore Seniors Grant Anderson	
Junior League Standing Committee Andrew Ross	Pacific Coast Seniors Robert Mansfield	

Apologies were received from the following:

Phil Paddison – Board Member
John Kovacs – Cronulla Juniors
Wayne Harr – Macarthur ML
Cheryl Barnier – Life Member

4. Minutes of the 2004 – 2005 AGM

It was moved by Gordon Eacott and seconded by Michael Shea that the minutes of the 2004 – 2005 AGM be accepted into the meeting.

CARRIED

5. Matters arising from the minutes of the 2004 – 2005 AGM.

John Meers noted that he had prior to the meeting received a document from Robert Mansfield (Pacific Coast) regarding comments on these minutes from Luis Almenara. Bruce Auty stated these be reviewed and amended as required at a later date & on submission of the document to the BOM.

6. Financial & Audit Report

It was moved by Gordon Eacott and seconded by Michael Shea that the financial and audit reports tabled, be adopted.

Bruce Auty then asked for questions from the meeting regarding the financials before putting the motion to a vote.

Bruce Auty opened these discussions on the reports noting that the BOM anticipated, in March, a loss of \$45,000. This was down from the anticipated loss in December 2004 of \$60,000. The actual loss for the 2004 – 2005 year was \$70,931.40. Bruce Auty stated to the meeting that the BOM felt that given the financial situation in September 2004, this was a satisfactory result.

Grant Anderson (North Shore ML) questioned the result in the canteen for the period. Bruce Auty explained that up to September 2004 the canteen was run on a cash payment basis. This was stopped in September 2004 and all income from that time was banked into the central account and bills paid by cheque. As this was not the case before September 2004, Bruce Auty explained it is difficult to ascertain what the position was.

Peter Schmidt (Hills) asked as what the difference between the expected loss of \$45,000 and the actual loss OF \$70,931.40 consisted of. John Meers explained the reason for the increase in the loss was the receipt of approximately \$25,000 in accounts during May, which referred to the 2003 – 2004 financial year. This was made up of a \$10,000 Coke statement dating back to February 2004 and an account from BVM of \$13,750.00 relating to November 2004.

Brian Welsh (North Shore Juniors) inquired as to the make up of the \$185,000 in administration costs. It was noted that this consists of all admin items in the budget such as rent and electricity for BOP, which alone is \$80,000. Brian asked if this figure could be further broken down in future reports.

Brian Welsh (North Shore Juniors) inquired as to why there is a tax allocation if Baseball NSW is a non-profit organisation. Sue Smith clarified that this is GST payable and not company tax.

Sue McCullough (Scorers association) asked as to the expense item of BOP - \$54,114.14 John Meers noted that this is the percentage of the income generated by the LG Twins that Baseball NSW pays to the ABF and Blacktown Venue Management as part of the management agreement. Sue asked if this could be more clearly identified in future reports.

As there were no more inquiries Bruce Auty asked for the meeting to vote on the motion to adopt.

CARRIED

7. Business Reports

Bruce Auty noted all but the Under 18's and Sydney Winter reports were included. Bruce Auty noted the Winter report was received but too late as the documents were already printed and bound.

Bruce discussed the content of his President's report highlighting the achievements of the year and sincerely thanked the volunteers for their efforts throughout such a difficult time.

Bruce Auty then opened the floor for questions on the reports.

Nigel Simmons asked what happened to the Major League report, as only the introduction was included. John Meers apologised for this stating the full report will be included in the email version of the reports being sent to all voting affiliates.

8. Notices of Motion - There were no notices of motion received

9. Election of Directors.

Ross Halfacree, Peter Worboys and David Hansell had nominated for the position of Director, with three positions available.

Bruce Auty offered each nominee the opportunity to address the meeting.

Ross Halfacree noted his response to the questions posed by email by the Junior League Standing Committee and asked if any member had any further questions on this reply. Ross Halfacree noted that the opinions in his response were his alone and not the opinions of the BOM.

David Hansell noted his disappointment in the fact that no other nominations were received and stated his belief that putting challengers up to the BOM only brings out the best in that BOM & avoids complacency.

Peter Worboys noted that he also responded to the questions from the Junior League Standing Committee but noted he has had greater involvement in the elite level of baseball. Peter stated that he believed the most important action that can be taken is to put the plans in place into action. Peter believed that growth must be the number one priority.

Bruce Auty then asked the nominees to leave the room.

John Meers explained to the meeting that even considering there are three nominations for three positions, these positions must be filled by election and that all elected directors must receive a majority of votes available in the meeting. John Meers and Bruce Auty concurred that from the registrations, there were 34 votes available at the meeting and each nominee would require 18 votes to be deemed elected.

Sue Smith and Sue McCullough acted as scrutineers for the election.

On completion of the counting of the votes the nominees were asked to rejoin the meeting. Bruce Auty declared all nominees had achieved the required majority of votes and declared Ross Halfacree, Peter Worboys and David Hansell elected as members of the Board of Management for a further two years.

10. Life Membership

Bruce Auty explained to the meeting that Ian Lewis, Warren Williams and Paul Birch were Life Members of Country Baseball Inc. and that the Board of Management had approved the transfer of their respective Life Memberships to Baseball NSW.

Paul McCullough (Scorers Assn) asked for clarification on the transfer. John Meers explained that the transfer of these life memberships was acceptable under the constitution in much the same manner as was the case when the junior associations re affiliated and their membership rights transferred to BNSW under the new constitution. John Meers noted he had this confirmed by the BNSW solicitor.

Peter Schmidt (Hills) inquired as to whether this could be granted to all three noting that at the 2004 AGM the problem of a limit of appointing two life members per year arose regarding this. John Meers noted as this was a transfer and not a vote on a nomination, it was permitted.

Bruce Auty asked the meeting to recognise the transfer of the Life Memberships from Country Baseball Inc to Baseball NSW for Paul Birch, Ian Lewis and Warren Williams. The meeting unanimously recognised this.

Bruce Auty thanked the meeting for their recognition of the vast amount of work all three have undertaken for baseball in the country areas of NSW.

11. Appointment of Auditor

It was put to the meeting by Bruce Auty that Neil Seaford be reappointed as Auditor for Baseball NSW for the 2005 – 2006 financial year. The meeting unanimously agreed.

12. Meeting Closed

4. Matters Arising - Change in Auditor to Carruthers Accountants.

5. Financials

Our financial affairs are presently being audited and expected to be available for presentation to Voting Affiliates by the end of August – see letter appendix 2.

Management Accounts as presented to our Auditors, summarised hereunder (all figures \$000's).

<u>Summary</u>	<u>2006</u>	<u>Last Year</u>	<u>Budget</u>
Total Net Income	467	438	474
Total Net Expenses	479	507	435
Bottom Line	(12)	(71)	38

Brief Overview

- Net Revenue up \$29k compared to last year
- Represents 7% increase
- Budget 99% achieved
- Expenses down \$28k on previous year
- 10% over-run to budget
- Net Result \$12k LOSS (could move towards \$20k*)
- \$59k improvement on 2005 loss of \$71k
- Initially disappointing at \$50k away from budget
- Upside, expenses include \$100k non-recurring – as indicated*

Key Revenue Categories

<u>Category</u>	<u>2006</u>	<u>Budget</u>	<u>Variance</u>
Player Registrations	450	407	+ 43
Grants & Sponsors	54	47	+ 7
BOP	(82)	(25)	- 57
Canteen	8	4	+ 4
Accreditations/Schools	25	13	+ 12
Playball	0	5	-5
Claxton Shield	(3)	6	- 9
Major League	0	9	- 9
Women's League	5	4	+ 1
Merchandising	2	0	+ 2
NSWIS MLB Signings	1	0	+ 1
Miscellaneous	7	4	+ 3
Total Net Income	467	474	- 7

Major Income Items

- ❖ Rego's - \$450k
 - Up \$43k, 10% above budget
 - Graphs re player numbers
- ❖ BOP - (\$82k)
 - Olympic Legacy, envisaged long term as a profit centre.
 - \$57k worse than expected
 - Significant factors
 - ❖ BVM % 2004/2005 LG Twins \$17*
 - ❖ Cleaning \$21
 - ❖ Electricity \$36
 - ❖ Licence Fee \$34 (\$7*)
 - \$108**

Softened by NSWIS \$10k, Major League \$7k and Women's League \$4k.

*Relates to prior year

- ❖ Grants - \$54k
 - DSR Cat 5 Sport Base Funding \$40
 - Coke rebates (2 years) \$10
 - Easton & State Player fund raising
- ❖ Canteen - \$8k
 - Previously sub-let \$5k pa
 - Reclaimed March 06
 - Future Profit Centre
- ❖ Accreditations - \$25k
 - 100% better than expected
 - Largely attributable to Garry Everson school programs & coaching courses.
- ❖ Claxton Shield - Loss \$3k
 - Adverse swing of \$9k from budget
 - After payment to BVM for public catering rights \$3k
 - Excluded function room catering & bar
 - Security patrol \$2k met by BNSW
 - 10% gate <\$4k budget, balance to ABF
 - Covered - St Johns \$1k, athlete/volunteer services \$5k
 - Garden bar initiative returned \$8k from t/o \$12k - equipment hire \$5k
 - Raffles & Merchandising poorly supported, competed with Financial Wealth

- ❖ Playball Program -\$nil
 - Expected \$5k return
 - Program surplus isolated with Country

- ❖ Major League – \$breakeven
 - After receiving \$5k in rule breach fines
 - Expected \$9k return
 - \$3k comp fees from AA Leagues not received
 - \$1k* bonds from 2005 returned as expense
 - All Star Day Promotion & VIP hospitality \$3k
 - Prize money \$1k more than budget
 - Umpires likewise.

- ❖ Women's League - \$5k return
 - On budget
 - Received sponsorship \$ and balls from Easton/Dugout

Key Expenses Categories

<u>Categories</u>	<u>2006</u>	<u>Budget</u>	<u>Variance</u>
Admin - BOP	31	41	+ 10
Admin - Regional	19	24	+ 5
Employment Exp	339	273	- 66
Finance Exp	17	24	+ 7
Lease Rentals	9	7	- 2.0
TryBaseball Marketing	15	15	-
Development	49	52	+ 3
Total Net Expenses	479	435	- 44

Bottom Line

Net Surplus	(12)	38	- 50
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Major Expense Items

- ❖ Admin - BOP & Regional \$50k – within budget and included
 - Computer Tech & Repairs \$5
 - Printing & Stationery \$6
 - Travel \$4
 - Postage \$3
 - Depreciation \$5
 - Rent \$10
 - Telephone & Internet \$16
 - \$49

 - Future savings expected following closure of previously rented office at Gateshead

- ❖ Employment costs account for 70% of total expenses. (Budget – 63%)

<u>Categories</u>	<u>2006</u>	<u>Budget</u>	<u>Variance</u>
Salaries & Wages	294	224	-70
Super/Workers Comp	28	28	-
Motor Vehicles	27	12	-15
Phones	5	4	-1
NSWIS charge back	(15)	5	+20
TOTALS	339	273	-66

- ❖ Significant variance results from the absence of staff provisions for unused AL/LSL in 2004/2005 accounts

○ Paid December 05	\$21
○ Crystallised post 31/3	\$22
○ Provisions for existing staff	<u>\$23</u>
	\$66

- ❖ Finance Costs – within budget and included

○ Auditor	\$1
○ Legal	\$3
○ Bank Fees	\$2
○ Registrations	\$1
○ Loan Interest – ABF	<u>\$10*</u>
	\$17

*5.25%pa reducible balance

- ❖ Lease Rentals – within budget and included

○ Photocopier	\$4	(ongoing updates)
○ Phone System	\$3	
○ Computer	\$1	(ongoing updates)
○ Recycling	<u>\$1</u>	
	\$9	

- ❖ Development – within budget and included

○ TryBaseball	\$15
○ NSWIS (contra in kind admin support)	\$25
○ Country League	\$5
○ Junior League	\$4
○ Claxton Shield Team	\$1
○ Equipment	<u>\$14*</u>
	\$64

* Stock write-offs - Baseball & Equip \$3k, Uniforms \$10k (non recurring)

Balance Sheet

<u>Assets</u>	<u>2006</u>	<u>2005</u>	<u>Variance</u>
Cash at Bank	100	52 ^x	+ 48
Prepayments	32	-	+ 32
Member Receivables	126	24	+ 102
Provisions D/Debts	(34)	-	(34)
Other Debtors	10	-	+ 10
Plant & Equip	14	32	(18)
Accumulated Dep'n	(6)	(5)	(1)
Total Assets	242	103^x	+139

X NSWIS Bank A/c removed \$7k

NSWIS operates under a tri-party agreement between ABF, NSWIS and BNSW. As such, the directors consider the financial administration by BNSW to be more in the nature of a *Trustee* with grant and contribution monies isolated solely for the purposes of NSWIS program.

<u>Liabilities</u>	<u>2006</u>	<u>2005</u>	<u>Variance</u>
Trade Creditors	83	56	+ 27
Accrued Expenses	(3)	-	(3)
Other Creditors	64	-	+ 64
GST Clearing	29	-	+ 29
PAYG Clearing	26	-	+ 26
Provisions for AL/LSL	41	-	+ 41
ABF Loan - Unsecured	173	203	(30)
Total Liabilities	413	259	+154

Members Funds	(171)	(156)	(15)
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Overview

- ❖ Member Funds deteriorated overall by a further \$15k
- ❖ BNSW totally reliant on continuing ABF support
- ❖ But now in a stronger position because
 - Shed \$100k fixed employment costs
 - Adopted a variable cost model
 - Liquidity improved to 98 cent in the \$ (78 cents last year)
 - Reliance on ABF reduced from \$203k to \$170 at present
 - Ability to maintain capitation fee levels through to 31st March 2007

❖ **Negatives**

- Susceptible to Cash Flow management hiccups
- Over-reliant on timely receipt of Member Fees
- Possible stretching of creditors
- Pressure on staff with increased workload
- Timing of delivery of Member Services

Liquidity

<u>Liquidate</u>	<u>2006</u>	<u>Last Year</u>
Cash	100	52
Collect receivables (net)	92	24
Prepayments/Other	42	
TOTAL	234	76
Settle staff Provisions	(41)	(41)
Repay Creditors (ex ABF)	(199)	(56)
Surplus	(5)	(21)
Cents in the \$	98c	78c
ABF Loan forgiven	173	203

Note: Staff provisions required in 2005 notwithstanding omission from accounts.

❖ **Cash - \$100k**

- No encumbrances

❖ **Member Receivables - \$126k**

Individual Accounts 124
Average account \$1,013

<u>Ageing</u>		<u>%</u>
0 - 30 days	\$23,193	18%
31 - 60 days	\$28,697	23%
61 - 90 days	\$21,635	17%
Beyond 90 days	<u>\$52,071</u>	<u>41%</u>
	\$125,596	100%

❖ **Significant Accounts**

Current

Blacktown - MLB	\$325 *	
Hills Sports High	\$1,056 *	
Illawarra Sports High School	\$400 *	
u12 & u13 Tour (14 accounts)	\$11,020 *	
Westfield Sports High	\$941 *	
Eagles Baseball Club Inc	\$3,650	
Hills Hawks Baseball Club	\$2,970	
St Mary's Baseball Club	<u>\$2,717</u>	
	\$23,078	\$9,337

30 days

Ku-ring-gai Stealers Baseball Club	\$14,919 *
Mosman	\$1,129 *
Dapto Chiefs Junior Baseball	\$1,148
Kiama Twilight	\$2,178
North Sydney Leagues - Summer PCBL	<u>\$6,694</u>
	\$26,068 \$10,020

60 days

Giants Baseball Club	\$1,676 *
NSW Institute of Sport	\$5,500 *
Angels Baseball Club	\$1,980
Barbarians Baseball Club (Wollongong)	\$1,881
Buzz Women's Baseball	\$1,335
Cardinals Baseball Club	\$1,386
Penshurst Cowboys Baseball Club	\$1,188
St George Leagues Baseball	\$2,574
Woosiers Baseball Club	<u>\$1,287</u>
	\$18,808 \$11,631

90 days +

Bears Jnrs _ CCBA	\$896 *
Berkeley Eagles Baseball Club	\$2,004 *
Cougars Baseball Club	\$1,881 *
Epping Eastwood Tigers	\$2,911 *
Indians Jnrs- C.C.B.A	\$1,953 *
Auburn Baseball Winter	\$594
Buzz Women's Baseball	\$650
Camden Reds- Macarthur	\$2,079
Casper's - Macarthur	\$792
Chipping Norton Baseball Club	\$3,901
Ghosts - Macarthur	\$1,188
Greenway Giants - Summer PCBL	\$1,137
Illawarra Baseball Association	\$990
Illawarra Flames - MLB	\$3,991
Koala League	\$1,158
Macarthur SC	\$678
Mets - Macarthur	\$2,560
Mt. Pritchard Baseball Club	\$948
North Shore Baseball - MLB	\$800
North Sydney Leagues - Summer PCBL	\$2,597
Petersham Baseball Club	\$660
Pirates Junior Baseball- Illawarra	\$894
St Mary's Baseball Club	\$6,139
Warringah Warriors Women's Baseball	<u>\$2,268</u>
	\$43,667 \$31,755

Totals \$111,621 \$62,744

- *Since collected \$49k – 44%
- Listing comprises over 50 accounts, from the 124 total customers.
- Remaining \$63k requires urgent review and follow up
- Note \$34k provision for Doubtful Debts includes \$14k received not applied
- Possible MyClub duplications, errors.
- MYOB – credit terms not yet recorded for all customers.
- Consider firmer approach to collections process – Default Register, Voting Rights, Competitions etc
- Question the "Club Committee" cycle, Is 90+ days reasonable?

❖ **Prepayments & Other Debtors - \$42k**

- Capitation Fee liability to ABF relating to April (next year accounts) - \$20k
- Licence Fee BVM - \$4k April
- Deposits Women's Nationals April - \$8k
- Player Loans - \$3k
- Gema Catering - \$7k

❖ **Property, Plant & Equipment - \$8k net of depreciation**

- Function Room Tables, Chairs & TV - \$6k
- Computers - \$2k
- Reduction -\$18k, balls & uniforms \$14, wall oven and obsolete computers.

Liabilities - \$413k

❖ **Creditors - \$83k**

○ ABF - Capitation/Insurance	\$51
○ BVM - Rent/Claxton Parking	\$19
○ Baseball Vic – u12 Friendship	\$3
○ Sports Commission – Equip	\$2
○ Others spread (13)	<u>\$8</u>
	\$83

All since paid

❖ **Other Creditors - \$64k**

○ BVM – 2004/2005 LG Twins	\$19
○ Coke rebates	\$14
○ Good Sports Drug Agency	\$10
○ Good Sports Club Grants	\$10
○ Concord Baseball Grant (2003)	\$5
○ NSWIS	\$2*
○ Others spread	<u>\$4*</u>
	\$64

* Since paid

❖ **Statutory Obligations - \$96k**

- PAYG \$26k since paid
- Staff provisions \$41k since reduced to \$23k
- GST \$29k since paid

❖ **ABF Loan - \$173k**

- \$30k repaid during the year in review
- Balance repayable as follows

	<u>1st July</u>	<u>31st Dec</u>
2006	\$25	\$25
2007	\$25	\$25
2008	<u>\$36</u>	<u>\$36</u>
	\$86	\$86

.....End presentation of financial report

The Directors, in accordance with the Constitution, submit the above accounts to the AGM, in compliance with the Act Section 26(6), and state these figures are not misleading and give a true and fair view of the following:

- (a) The income and expenditure of the association during its last financial year,
- (b) The assets and liabilities of the association at the end of its last financial year,
- (c) The mortgages, charges and other securities of any description affecting any of the property of the association at the end of its last financial year,
- (d) In respect of each trust of which the association was trustee during a period...(the provisions with regard activities as a trustee are not relevant).

.....
Bruce Auty, President
19th June 2006

.....
David Hansell, Board Member
19th June 2006

IMPORTANT NOTICE OF ADJOURNMENT

The AGM is hereby adjourned with respect to this one agenda item, being the approval of the accounts.

The audited accounts, when available (within 6 months of the year end, ie by no later than 30 September 2006), will be presented to delegates at this meeting, together with a call for a postal vote to adopt those accounts.

6. Notices of Motion

No Notices of Motion have been received, however, the Country League Standing Committee has requested various changes to the By-Laws, which are currently being considered by the BOM, and summarised hereunder.

- Confine JLSC operations to Sydney Metropolitan Area
- Operations Committee not responsible for Junior Winter Development Programs in Country areas
- CLSC responsible for selection of Country Team coaches, players etc
- Limit CLSC delegates to 6 Office Bearers
- CLSC appointments for 3 year term, 2 members rotated each year
- Advance nominations to CLSC prior to League's AGM, not after.

7. Receive Business Reports

- a. Presidents Report
- b. Major League Standing Committee Report
- c. Junior League Standing Committee Report
- d. Country Standing Committee Report
- e. NSWIS Report
- f. Claxton Shield Report (not available at time of AGM)
- g. Women's League Report
- h. Operations Standing Committee Report
- i. Winter League Standing Committee Report
- j. Country Baseball NSW Women's Report
- k. State Teams Reports

8. Election of Board Members

Being the even year, two Board Members must retire and stand for re-election.

This year, Bruce Auty and Phil Paddison are up for re-election, however Mr Paddison is not standing. Board Member Ross Halfacree resigned and created a casual vacancy, which was temporarily filled by the existing Board Members, pending the AGM. David Hansell and Peter Worboys are continuing.

Therefore, three vacancies exist, with nominations received from six (6) candidates, namely, Bruce Auty (standing for re-election), Grant Anderson, Andrew Poole, Andrew Ross, Trevor Watters and John Wingrove. Profiles were published on the website.

A secret ballot shall be conducted using the ballot paper provided to each Delegate.

9. Election of Life Members

No nominations were received.

10. Appointment of Auditors

Carruthers, Chartered Accountants are currently engaged with CEO recommending retention of services.

11. Closure & Fraternity

CHAIRMAN'S REPORT

This is my third report to stakeholders since taking office in October 2003 – the last report was delivered on 15 June 2005.

The last 2 years and 8 months have proved to me that when stakeholders formally agree to something as they did when adopting the new Constitution of BaseballNSW, a number of them, in agreeing to something new, actually had no intention of carrying their commitment through.

Sadly, I report that the Board's aim of carrying out the stated aim of the then adopted new Constitution, the aim of One Baseball, has failed. The sport of baseball in NSW is rife with division, antagonism, poorly informed, and often deliberately misled participants, and largely lives in the past.

The number of CEO's who have tasted what baseball has to offer and who have given it up as all being too hard, is testament to this.

Your Board continues to try to resolve difficulties, make hard decisions and move forward, but without your support, which we only have to a limited extent, we are destined to only make minimal progress rather than the large leaps and bounds that are needed.

That many members of this group here tonight choose to support unaffiliated groups means that divisions will continue, that frustration about lack of progress will remain and continue to force good people away from participation, and that changes that are critical to advance the sport will be denied because of antipathy, white-anting and obstructionism.

Playing both sides of the fence just does not work and when your Board attempts to do something simple such as follow the path of One Baseball as set out in the Constitution, we are met with strident demands to retract our position. Board members will continue to try to convince you of the merits of supporting one body – that of BaseballNSW – but please recognise that our patience is not unlimited.

Financially the accounts to 31 March 2006 show BaseballNSW has moved forward. At 31 March 2005 we showed a loss of \$71k. Our budget to 31 March 2006 aimed at break-even after an investment of \$15k into TryBaseball. We are pleased to report a loss in the vicinity of \$20,000, but that loss was incurred after restoring staff leave provisioning levels from zero to \$65,000, from raising other provisions of \$34,000 and after meeting obligations for \$20,000 which related to the prior year.

We have included our budget to 31 March 2007, which anticipates a break-even result after reinvestment in the various areas, the least of which is the doubling of our investment in the TryBaseball recruitment initiative to \$30,000.

Our loan from the ABF has reduced from \$203,000 at last report to \$172,550 today. All interest thereon has been met. All payments to our landlord for rent of the BOP facility and electricity are up to date.

It is appropriate at this juncture to thank both the ABF for their support and to Blacktown Venue Management also, for their continued cooperation and assistance. Our facility will become part of an enlarged picture here at Blacktown when both cricket and AFL establish venues here over coming years. Baseball will sit squarely within what will become a massive sporting complex to service greater Sydney.

The structure of the game of baseball deserves some attention. There are junior associations that have seen steadily declining player numbers over a number of years. There are other junior associations that are prospering. Your Board gave Robert Taylor his head last year to run TryBaseball programs across as many clubs as were willing to participate. We encouraged this initiative as a means of demonstrating our support for the growth of the game – and while the program was very successful – all the results were published to ensure transparency – too many associations and clubs gave it minimal support. Accordingly we are now at a time when it is appropriate to openly promote the merging of some associations. For example, North Shore, Bankstown, Cumberland and Macarthur may need to merge with others, in order to strengthen

volunteer and player numbers and provide for greater competitiveness in the Sydney Championships.

It is also time to ensure the progression of junior players through to senior ranks by aligning Major League Clubs with Junior Associations. For example, the Penrith area has no Major League Club but a strong junior base. Auburn and Canterbury have no direct junior feeder organisations.

These are not ideas of the here and now. Directors have been advocating such moves to the Junior Standing Committee and to the Major League Standing Committee, but nothing changes.

Because this is a sporting organisation, and of its very nature is largely supported by people who give their time for their kids and their love of the game, we feel that it is important to have as many constituents as possible align with these changes rather than us try to force them through.

With stakeholders who do not want to see that the game is slipping badly in participation levels, stakeholders who do not want to change, stakeholders who only want to criticise and who do not want to make positive suggestions, stakeholders who want to continue to undermine and cut away at One Baseball, the game faces a bleak and short future. Board members alone cannot spend enough time with unsupportive stakeholders trying to convince them to follow the framework those same stakeholders supported in the establishment of the Constitution.

Other supporters have to be on the same page and also promote the initiatives presented – they have to take the arguments and reasoning to the non-believers. If we cannot raise our collective voices loudly enough to drown out the naysayers, then we are destined to drift as a sport.

And to drift is to fall into the arms of cricket. I know no one wants that to happen, but just take a look at the well-organised sports that are getting bigger and better. Yes, they have a national competition and we do not – but unless we get our act together at the grass roots and at a state level, we do not have much to promote.

The Board's role is to look always at the bigger picture, to seek to see what is good for baseball – that is the only direction from which we come at issues. We believe that creating One Baseball is part of that picture; we believe that having the committee structures that were voted for within the Constitution working productively and together is part of that picture and we believe that creating a sustainable financial future completes that picture.

Last year we advised of the resetting of the Board's goals, which had the next five years in mind.

There were six areas that we felt required focus:

- Providing leadership, management and member services
- Creating competition and events
- Growing participation in and development of baseball
- Communication and marketing
- High Performance
- Corporate Governance

I will address activities under each heading briefly:

Leadership, management and member services

In late August we secured the services of Glen Willott as our new CEO following the departure of John Meers. Glen has been encouraged to provide greater direction to the game, and given his active participation in the sport as both a player and as a club administrator, he is well placed to do so. There has been restructuring here in Sydney and the Gateshead office has been closed following the departure of Chris White. Sue Smith, Paul Fathers and Fay McGregor have also left our employment. This restructuring has been costly with unprovided long service leave and termination entitlements to be met, which were outside our original budget.

We take the opportunity to thank each of those people, some of who had served baseball for many years.

Our aim with restructuring has been to move away, where possible, from the fixed costs that permanent employees bring with them and to attempt to adopt a variable cost model of service

delivery. Casual employment terms are now preferred as are shorter hours. In relation to development, we are confident that we can acquire and engage expertise to deliver development programs, particularly for country areas.

Member services will receive significant attention going forward including the provision of insurance cover to members.

Competition and events

The year under report saw the continued Winter Development program for 16's and 18's and, for the first time, the introduction of a program for u12's. We successfully toured the Olympic City of Beijing. We have developed overseas tours for ages 12 through 18 with travel to the New Zealand, US, Osaka and Beijing.

Once again we staged the Junior Sydney Championships at BOP which we hope will leave lasting memories with our children.

Growing participation

Our major efforts were directed towards TryBaseball. We were delighted with the enthusiasm of Robert Taylor, the efforts that many clubs went to, and with the outcomes. Almost 1000 new players came to the sport of which 446 were under 7, 367 aged 8 – 10, 127 in the 11-16 age group and 37 new senior players. All together, for the clubs that participated, 40 new teams were generated from this initiative. Thanks must go to the many club volunteers who made these days successful. We believe that our investment into this promotion was very well placed.

Communication and marketing

We did not do well with the promotion of the 2006 Claxton Shield and neither did we do well with the promotion of our internal events.

We will be grateful for suggestions as to how we might assist strengthen the communication between clubs and associations. It is clear that the old methods of attending meetings and passing information verbally onto the next meeting, often held at a delayed interval, is not effective. We need to establish a faster and more direct route to transfer information while ensuring that consultation and debate for the appropriate issues takes place.

High Performance

After two years of holding the Claxton Shield it has crossed the border into Queensland. This is only a temporary situation and we fully expect that it may make its way back to NSW in 2007. We did well at the Nationals with our u14's undefeated throughout the rounds before losing to 3-9 to WA in the final. On the other hand, our u16's had mixed success in the preliminary rounds before clinching victory 6-1 from Vic in the Grand Final. Our reps from country NSW performed admirably. The representation of 11 Country players, from a 31-man squad of our NSWIS elite program, is testament to the success of our regional programs. From that program, 14 players were chosen for further honours to the Major League Gold Coast Academy (MLBAAP)

Corporate Governance

With the closure of the Gateshead office & the reintroduction of MYOB closer management of the financial piece of our overall business can occur. Also the take up levels within the MyClub database have been very strong and this augurs well for ease of reconciliation of player participation and new possibilities for communication.

Our Judiciary panel headed by Mr Terry Lewis certainly had the arduous and, at most times, thankless task of adjudicated far too many cases – 42 throughout the year which must suggest our need for cultural and attitudinal change in order to respect the game and its officials more highly than at present. In this direction, a revised Judiciary and Appeals systems shall be introduced which will see the implementation of a prescribed penalty concept.

HOF Committee

This year saw three NSW inductees into the Baseball Hall of Fame. They were very proud moments for the baseball community to be able to recognise, in a very significant manner, Lionel Harris, Jack Rowley & Mervyn Deigan. The recognition also afforded to Pat Milmlow, Chris Oxspring and the Ku-ring-gai Stealers Baseball Club at the same occasion was heart-warming.

Another very significant occasion was the recognition of the contribution of Gary White as a player with the retirement of his uniform number.

Sincere appreciation to our BNSW Life Member and Historian Chairman, Mr Brian Davis, for his tireless efforts in researching and collating some very sketchy archives. This year we have established our own Baseball NSW Hall of Fames Committee, led by Brian and accompanied by representatives from a broad spectrum in, Lionel Harris, Hartley Anderson, Scott Zammitt, Robert Vine and Phil McConachie.

In Closing I reiterate the need for the baseball community to work together. With baseball no longer an Olympic sport after 2008, there will be undoubted pressure on State Institutes of Sport to direct funding towards Olympic participation. While there will be some lag in such a move taking place, we will need to think closely about the way in which we are organised, in order to effect the most positive representation of our sport to Government.

My thanks go to John Meers our ex CEO, to our current CEO Glen Willott, to Ross Halfacree who retired from the Board on 30 March 2006 after benefiting us with his wise counsel for 2 ½ years, to Phil Paddison who has passionately represented BaseballNSW and made sure that the country affiliates were heard, and current Board members David Hansell and Peter Worboys. They have all given too much of their time and taken too much away from their families in the process, and I thank them and their families for their many contributions.

Bruce Auty
June 2006

CEO Report

Probably the most frustrating commission I have ever undertaken, but I look forward to the challenges ahead and suggest the rewards will outweigh the present hurdles.

I shall continue in the belief to promote the objects of the League, and in particular the object to create a single uniform entity to conduct, promote, encourage and administer the sport of Baseball in New South Wales....."One Baseball".

We need to spend most of our energy to grow our numbers, primarily at the grass-root level of infant school. With our declining numbers in recent years, we need to address our past practices, learn from them, and change the plan in many areas. Our junior rep scene is a natural pathway for aspiring baseballers, however, we need to balance the time and effort dedicated in this area, which I suspect has been to the detriment of our volunteer and player numbers at club level.

A chicken and egg scenario but keep in mind cream always floats to the top.

I hope we can collectively lift our respect for this great game and significantly reduce the number of player ejections and complaints, which seem to always be on my desk.

That said, we wait in hope for the resurrection of our National League and for the role model heroes our children can emulate.

The Claxton Shield was poorly patronised by our spectator numbers but nevertheless was a fantastic carnival. The staff of BNSW in Garry Everson, Sue Smith, Fay McGregor and Grant Johnson worked tirelessly throughout and their efforts were very much appreciated. We are indebted to many volunteers with particular mention and gratitude extended to Sylvia Ross, Maureen Bertram, Rhys Callaghan and Steve Hey, without whose help would have left us with a catastrophe. I can only hope the players and volunteers appreciated our lavish hospitality.

Whilst by no means out of the woods with our precarious financial position, our management and oversight in this area has been strengthened significantly. With careful monitoring and at times, the necessary balancing act, we are well-positioned move forward to achieve self-sufficiency in the medium term. The MyClub database has proven a priceless tool in our financial planning. It is not a Big Brother system, but a powerful means for effective financial management and member communication.

We are clearly in need of improved website administration and we shall continue in our search for a capable, efficient and cost effective administrator.

I would like to extend sincere appreciation to the Board of Management for their unwavering support and encouragement during my short term of office.

With perseverance I look forward to providing the CEO role with greater stability than achieved in recent years, and to also provide stronger leadership and direction.

Glen Willott
CEO

Baseball NSW
PO Box 63
Mt Druitt NSW 2770

Budget Summary
April 2006 through March 2007

Account #	Name	Actual 2006	Budget 2007	Variation
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4-0000	Total Income	\$466,873	\$465,791	\$11,918
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4-1000	BOP	(\$81,971)	(\$72,820)	\$9,151
4-1100	Canteen Trading	\$8,214	\$17,350	\$9,136
4-2000	Claxton Shield	(\$3,294)		\$3,294
4-3000	Accreditations & Clinics	\$25,417	\$12,420	(\$12,997)
4-3100	Grants & Sponsorships	\$53,981	\$42,000	(\$11,981)
4-5000	Major League	\$732	(\$8,075)	(\$8,807)
4-6000	NSWIS	\$1,176		(\$1,176)
4-7000	Registrations	\$449,330	\$494,849	\$45,519
4-8000	Womens League	\$4,821	\$100	(\$4,721)
4-8500	Merchandising	\$2,420		(\$2,420)
4-9000	Miscellaneous	\$6,047	(\$33)	(\$6,080)

6-0000	Total Expenses	\$479,435	\$427,459	(\$51,976)
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6-1000	Admin Exp - Head Office	\$11,607	\$19,180	\$7,573
6-2000	Admin Exp - Regional Office	\$19,227		(\$19,227)
6-2500	Development	\$63,459	\$94,217	\$30,758
6-3000	Employment Expenses	\$359,009	\$287,450	(\$71,559)
6-4000	Finance Expenses	\$16,825	\$16,472	(\$353)
6-5000	Lease Rentals	\$9,309	\$10,140	\$831

	Net Surplus	(\$12,562)	\$58,331	\$70,893
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Wish List

6-1002	Computer Tech & Repairs	\$4,443	\$5,000	\$557
6-1013	Freight		\$3,000	\$3,000
6-2004	Storage Space Hire	\$1,738	\$2,100	\$362
6-2006	Internet RO	\$471	\$500	\$29
6-2514	Claxton Shield Team	\$545	\$18,750	\$18,205
6-2514	Winter Development		\$4,500	\$4,500
6-3003	Contractors - Variable		\$76,200	\$76,200
6-4008	Legal	\$2,651	\$8,000	\$5,349
			\$118,050	

Number of Members in NSW

State	Total	
T/Ball	4362	35%
Juniors	4315	35%
All Juniors	8677	70%
Seniors	3788	30%
All Players	12465	100%
Blastball	5	0%
Machine Ball	182	1%
Open/Senior	3663	29%
Teeballer	2394	19%
Try Baseball u/7	698	6%
Under 10	1083	9%
Under 11/12	1685	14%
Under 13/14	1330	11%
Under 15/16	880	7%
Under 17/18	420	3%
Under 22	125	1%
Total	12465	100%

Junior/T-Ball members across all states

State	Financial	
ABF	24	0%
BNT	226	1%
ACTBA	405	2%
Territories	655	4%
BWA	1208	7%
SABL	1393	8%
BQ	2456	14%
BVic	3078	18%
NSWBL	8704	50%
Total	17494	100%

State	Snr & Jnr	
ABF	108	0%
BNT	348	1%
ACTBA	630	2%
Territories	1086	4%
BWA	2120	8%
SABL	2472	9%
BQ	3704	13%
BVic	5677	21%
NSWBL	12492	45%
Total	27551	100%

Age mix of Juniors

u11/12	1685	39%
u13/14	1330	31%
u15/16	880	20%
u17/18	420	10%
	4315	100%

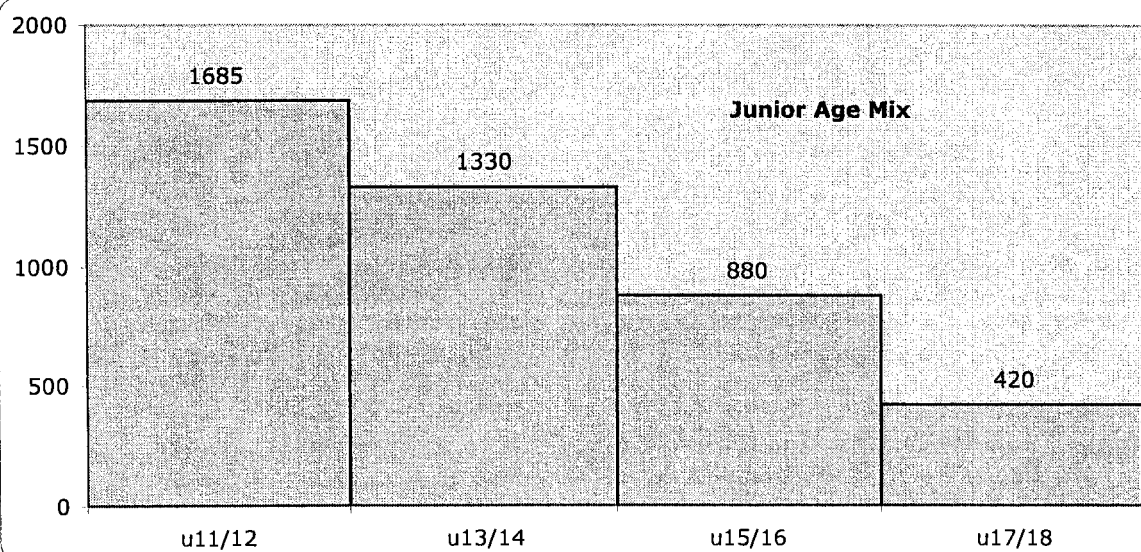
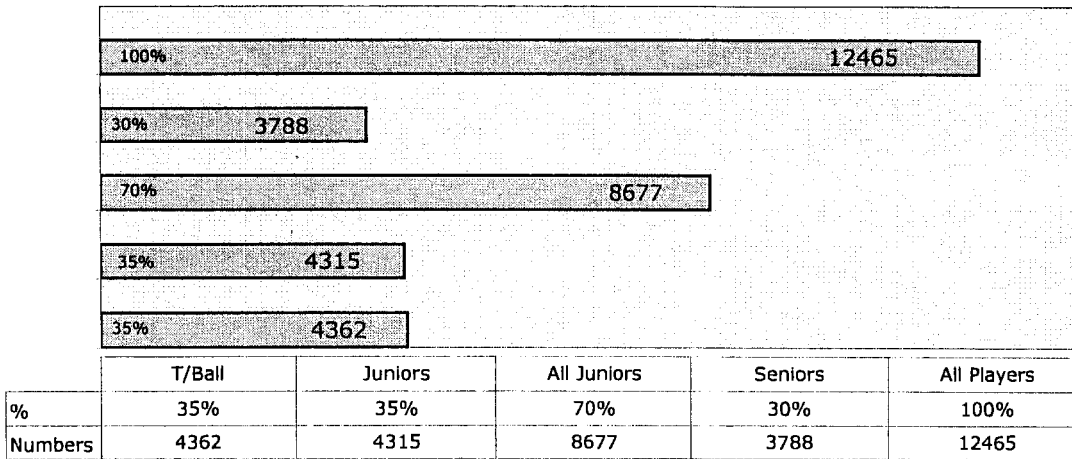
Total number of clubs

State	Total	
BNT	5	1%
ACTBA	6	1%
ABF	12	2%
Territories	23	3%
BWA	54	8%
BQ	59	9%
SABL	70	10%
BVic	131	19%
NSWBL	346	51%
Total	683	100%

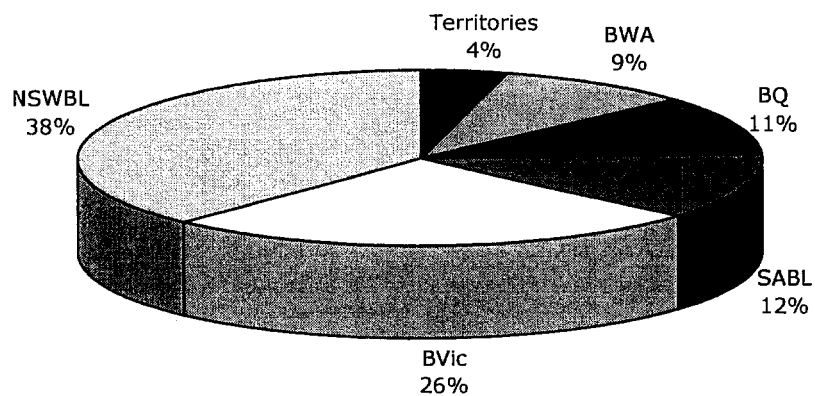
Senior members across

State	Financial	
ABF	84	1%
BNT	122	1%
ACTBA	225	2%
Territories	431	4%
BWA	912	9%
BQ	1079	11%
SABL	1248	12%
BVic	2599	26%
NSWBL	3788	38%
Total	10057	100%

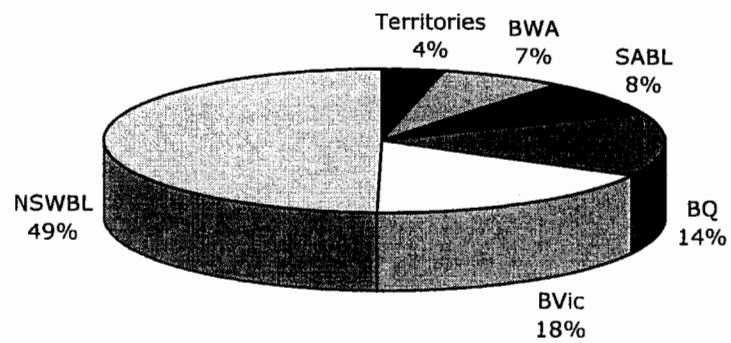
BNSW Player Mix



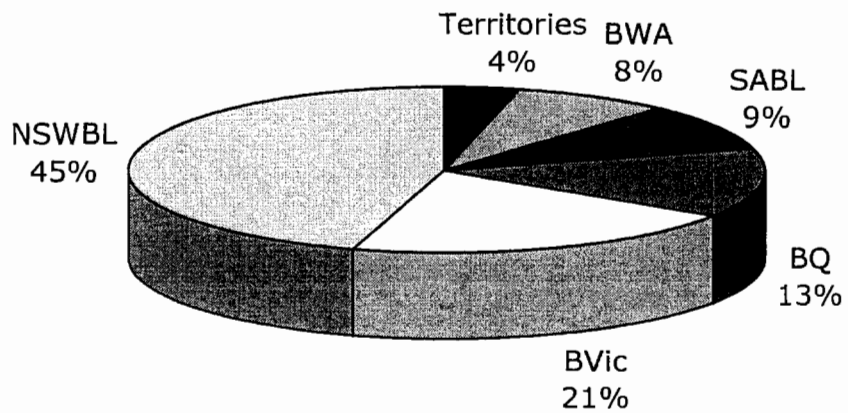
Senior Players by State



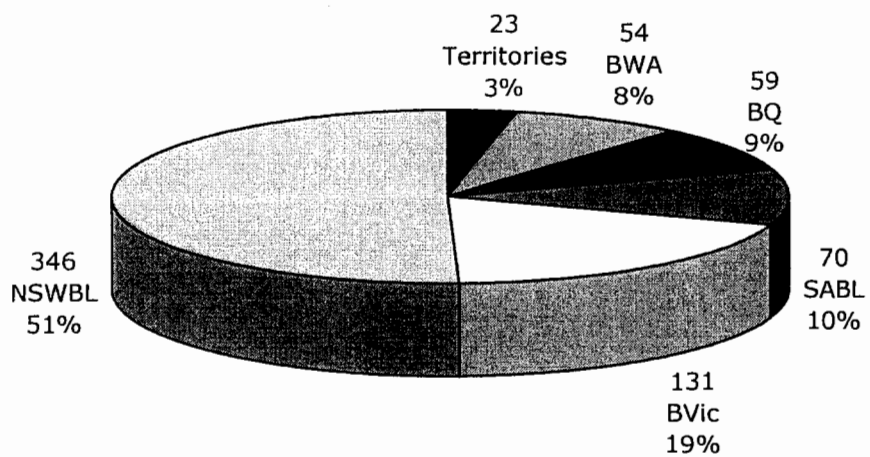
T/Ball & Jnrs by State



All Players by State



Clubs by State



Carruthers

CHARTERED ACCOUNTANTS
A.B.N. 35 817 117 166



Liability limited by a
scheme approved
under Professional
Standards Legislation

Director
Frederick M. Grotte C.A., B.Ec.

Carruthers Pty. Limited
A.C.N. 002 855 290
Level 1, 2 Help Street
Chatswood N.S.W. 2067

P.O. Box 5678
West Chatswood N.S.W. 1515

Telephone: (02) 9411 2566
Facsimile: (02) 9413 1573
Email: admin@carrutherspl.com.au

FMG : LL

13 June 2006

The Audit Committee
New South Wales Baseball League Incorporated
81 Eastern Road
ROOTY HILL NSW 2766

Dear Sir/Madam,

Re: New South Wales Baseball League Incorporated

You have requested us to act as auditors of the New South Wales Baseball League Incorporated and we formally provide our consent to our appointment. As the association is a not-for-profit organisation it is a reporting entity and there must be full compliance with the Australian Accounting Standards as well as the Associations Incorporation Act 1984 ("the Act").

The accounting records prepared by the Club's Chief Executive Officer were forwarded to our office on 24 May 2006 with the request that the audit be completed in time for presentation at the Annual General Meeting on 19 June 2006. As the work is required to be performed by any external accountant this objective is a physical impossibility.

The Australian Accounting Standards Board issued new Australian Accounting Standards that are fully compliant with the International Financial Reporting Standards ("AIFRS"). AIFRS applies for financial years commencing on or after 1 January 2005. Accordingly, the 2006 financial year is the first time the financial statements will be required to comply with the AIFRS. There was a requirement to report the major impacts of AIFRS in the 2005 financial statements. The Club's 2005 financial statements should have disclosed quantification (if any) of the impact. Furthermore, the Club's 2005 financial statements do not appear to have met many of the reporting requirements and this has added to our workload in preparing the 2006 financial statements. We must regretfully advise that the audited accounts will not be completed by 19 June 2006.

.../2

Section 26 subsection (6) of the Act requires that at the annual general meeting of an incorporated association, the committee of the association shall submit to members a statement giving a true and fair view of:

- (a) the income and expenditure of the association during its last financial year,
- (b) the assets and liabilities of the association at the end of its last financial year,
- (c) the mortgages, charges and other securities of any description affecting any of the property of the association at the end of its last financial year,

Section 26 subsection (1) of the Act requires that an incorporated association shall convene an annual general meeting ("AGM") at least once in each calendar year and within 6 months after the expiration of each financial year. From the information supplied, we understand that the financial year-end was amended in the 2005 financial year to 31 March (previously being 30 April). Accordingly, the AGM is not required to be held until **30 September**.

Similarly, the Constitution requires that the holding of the AGM is consistent with the Act. That is, within 6 months of the end of the financial year. The Constitution requires that there be a notice of AGM given at least 60 days prior to the meeting.

Should you wish us to continue to audit the accounts next year, we would appreciate that the AGM not be held prior to 31 August.

The Constitution requires that at the AGM the accounts and the auditor's report be tabled for business at the meeting. Therefore if the audited financial statements are not presented at the AGM the Club will be acting **IN BREACH** of its Constitution.

We are endeavouring to complete the audited accounts as soon as possible but cannot guarantee that this will be done by 19 June 2006.

Auditor's Liability

Where the accounts are audited the auditor is required to make a statement that:

- the financial report presents a true and fair view;
- the accounts have been prepared in accordance with applicable Accounting Standards and other professional reporting requirements in Australia.

Third parties who are dependent users of the information may rely on the financial report for making and evaluating decisions about the allocation of scarce resources e.g. the Australian Baseball Federation providing funds to Baseball NSW. Where those third parties (or the client itself) suffer a financial loss, due at least partly to reliance on that financial report, the auditor will be held liable where their work is substandard.

Auditors are currently exposed to unlimited liability for professional default. The obligation is imposed on the auditor by contract law, common law and various statutes. The only defence for an auditor is the application of "best practise". To limit their liability, auditors have no other alternative but to conduct an audit in accordance with the Auditing & Assurance Standards.

We invite your Chief Executive Officer or other representative to contact our principal, Mr. Fred Grotte, to precisely schedule our audit procedures and preparation of the financial statements so that the obligations of the Club may be properly met.

Yours faithfully,
CARRUTHERS PTY LIMITED

New South Wales Baseball League Inc.
ABN 56 568 633 609
Trading As: **Baseball NSW**

PO Box 63
Mount Druitt NSW 2770

Ph: (02) 9675.4522
Fax: (02) 9675.4533

Email: ceo@baseballnsw.com.au



13th April 2006

Fred Grotte
Carruthers Accountants
PO Box 5678
CHATSWOOD NSW 1515

Dear Fred,

Please find enclosed a copy of our 2005 Financial Report for your reference.

We are nearing the finalisation of our 2006 accounts, in readiness for presentation to our members at our Annual General Meeting scheduled for Monday 19th June, 7:30pm at Blacktown Olympic Park. We use MYOB Accounting Plus software.

We need to circulate our audited accounts 30 days prior to the AGM – ie By the 19th May. A copy of our Constitution can be downloaded from: -

http://www.nsw.baseball.com.au/site/baseball/nsw/downloads/NSWBL_Constitution%20_Final.doc

Trusting you may be in a position to assist with the audit of our accounts any time from Monday 1st May 2006, to be completed by Friday 19th May.

I will be on leave, returning Monday 24th April, but in my absence please contact Narelle Fox at our office should you wish to confirm any meeting dates.

Within your charter, please advise indicative costs of performing the audit and also your attendance at our AGM meeting.

Yours in Baseball

Glen Willott
Chief Executive Officer

Refer to: Mr Graham Griffen
Direct line: 82049662

Office of
Consumer and
Business Affairs

27 September 2005

Mr Michael Sainsbury
C/- E.H. Tabbutt & Sons Lawyers
15th Floor
115 Pitt Street
SYDNEY NSW 2000

Ground Floor
Chesser House
91-97 Grenfell Street
Adelaide SA 5000

GPO Box 1401
Adelaide SA 5001

Telephone 1300 138 918
Facsimile (08) 8204 9771
www.ocba.sa.gov.au

Dear Mr Sainsbury

Re: Baseball Australia Pty Limited

I refer to your letter of 22 September 2005 regarding a proposed change of name under the *Associations Incorporation Act 1985* (the Act).

The Act is administered by the Office of Consumer and Business Affairs, incorporating the Corporate Affairs Commission ("OCBA").

I refer to Section 24 (5) of the Act, which states:

"(5) Where an alteration to the rules of an incorporated association consists of or includes an alteration to the name of the association-

(a) the Commission must not register the alteration unless it is satisfied that the name-

(i)

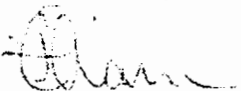
(ii) is not such as is likely to be confused with the name of any other body corporate or any registered business name; and

(iii)

Therefore if we received an application to register the name "Baseball Australia", this name would not be approved whilst the name "Baseball Australia Pty Ltd" was in existence.

If you wish to discuss this matter further please do not hesitate to contact Mr Graham Griffen (Client Services Officer) on 82049662.

Yours sincerely


Jacquelyn Norman
Supervisor Registration



Government
of South Australia