

Constitution of Queensland Indoor Bowling Association Inc

(Last updated December 2018)

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CONSTITUTION

1. INTERPRETATION

(1) In these rules—

Act means the *Associations Incorporation Act 1981*.

present—

(a) at a management committee meeting, see rule 23(6); or

(b) at a general meeting, see rule 37(2).

(2) 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.

2. NAME

The name of the incorporated association shall be Queensland Indoor Bowling Association Incorporated (or INC) (In these Rules called "**the Association**")

3. OBJECTS

The objects of the Association are:

To foster and control the game of indoor bowls and without in any way limiting the generality of these objects to promote and make arrangements for matches of indoor bowls either social or competitive and to do all things incidental to or conducive to the attainment of these objects, and shall not interfere with the domestic affairs of affiliated Associations.

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 "Queensland Indoor Bowling Association".

5. CLASSES OF MEMBERS

(1) The membership of the association consists of ordinary members, and any of the following classes of members- Honorary Life Member, Honorary Member, Volunteer Member.

	CATEGORY	DEFINITION	VOTING RIGHTS
1	Ordinary Member	Affiliated associations and independent clubs. Each Association Member shall appoint up to 3 delegates from amongst its own members to represent it at general meetings of the Association. All delegates must be financially registered players of Q.I.B.A. (INC).	Yes
2	Honorary Life Person	Person granted membership by the Association at an annual general meeting, for meritorious service to and on behalf of the Association, and appointed according to the current By-Laws.	No
3	Honorary Person	Person or organisation invited to membership by the Association at a general meeting, for such period as may be deemed appropriate, and appointed according to the current By-Laws.	No
4	Volunteer Person	A volunteer working with the Association (must be over 18 years of age)	no

(2) The number of Ordinary Members, Honorary Life, Honorary and Volunteer persons is unlimited.

6. MEMBERSHIP

- (1) Every Association member who, at the date of Incorporation of the Association was a member of the unincorporated Association, shall be admitted automatically to the same class of membership of the Association as that member held in the unincorporated Association.
- (2) All application for Association membership shall be made in writing, signed by the Secretary and in such form as the Management Committee from time to time shall prescribe.
- (3) The Management Committee shall set out the method of dealing with nominations for Life Membership, and recommendations by the Management Committee shall be dealt with at any Annual General Meeting.
- (4) All Indoor Bowling Associations and Independent Clubs have the right to apply for membership.

7. MEMBERSHIP FEES

- (1) The membership fees shall be such amount as the members from time to time at any Annual General Meeting, so determine.
- (2) Fees shall be payable on or before the thirty-first day of March in each year.

8. ADMISSION AND REJECTION OF 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 applicant applies to become a member of the association, and before the management committee considers the applicant's application, the applicant 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.
- (4) If a majority of the members of the management committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.
- (5) The secretary of the association must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision.

9. WHEN MEMBERSHIP ENDS

- (1) A member may resign from the association by giving a written notice of resignation to the secretary.
- (2) The resignation takes effect at—
 - (a) the time the notice is received by the secretary; or
 - (b) if a later time is stated in the notice—the later time.
- (3) The management committee may terminate a members 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 members 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.

10. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- (1) A member whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the members intention to appeal against the decision.
- (2) A notice of intention to appeal must be given to the secretary within 1 month after the member receives written notice of the decision.
- (3) If the secretary receives a notice of intention to appeal, the secretary must, within 1 month after receiving the notice, call a general meeting to decide the appeal.

11. GENERAL MEETING TO DECIDE APPEAL

- (1) The general meeting to decide an appeal must be held within 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 member whose application for membership has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the member appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the membership fee paid by the member.

11. 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 address of the member;
 - (c) the date of admission as a member;
 - (d) the date 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 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.

12. 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.

13. MEMBERSHIP OF MANAGEMENT COMMITTEE

- (1) The Management Committee shall consist of Patron, President, Senior Vice President, two Vice Presidents, Treasurer, Secretary, Assistant Secretary and Publicity Officer and Immediate Past President all of whom shall be members of an Affiliated Association.
- (2) At the annual general meeting of the Association, all the office bearers of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.

14. ELECTING THE MANAGEMENT COMMITTEE

- (1) An office bearer of the management committee may only be elected as follows:
 - (a) Any two registered players of the Association may nominate any other registered player to serve as an officer bearer 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 6 weeks before the annual general meeting at which the election is to be held;
 - (c) A list of the candidates' names in alphabetical order, with the proposers' and seconders' names, shall be posted or emailed to members with the agenda for the annual general meeting.
 - (d) Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order.
 - (e) Each delegate or office bearer present at the annual general meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies;
 - (e) Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations maybe taken from the floor of the meeting.

15. Resignation, removal or vacation of office of management committee Office Bearer

- (1) An office bearer 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) An office bearer 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 office bearer.

- (4) Before a vote of members is taken about removing the office bearer from office, the office bearer must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (5) An office bearer has no right of appeal against the removal from office under this rule.
- (6) An office bearer immediately vacates the office of office bearer in the circumstances mentioned in section 64(2) of the Act.

16. VACANCIES ON MANAGEMENT COMMITTEE

- (1) If a casual vacancy happens on the management committee, the continuing office bearers of the committee may appoint another registered player of the association to fill the vacancy until the next annual general meeting.
- (2) The continuing office bearers 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.

FUNCTIONS OF THE MANAGEMENT COMMITTEE

- 17.** (1) Except as otherwise provided by these Rules and subject to resolutions carried at any general meeting the Management Committee;
- (a) shall have the general control and management of the administration of the affairs, property and funds of the Association; and
 - (b) shall have authority to interpret the meaning of these Rules and any matter relating to the Association on which these 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 rules are inconsistent with the Act, see section 1B of the Act.

- (2) The Management Committee may exercise all the powers of the Association;
 - (a) to secure the payment of money in such manner as the members of the Association decide, and secure the same 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.
 - (c) to invest in such manner as the members of the Association may from time to time determine.

18. MEETINGS OF THE MANAGEMENT COMMITTEE

- (1) Subject to this rule, the management committee may meet 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 10 minutes after the time fixed for a management committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.

19. QUORUM FOR, AND ADJOURNMENT OF, MANAGEMENT COMMITTEE MEETINGS

- (1) At a management committee meeting, more than 50% of the members elected to the committee as at the close of the last general meeting of the members form a quorum.
- (2) If there is no quorum within 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 30 minutes after the time fixed for a management committee meeting called other than on the request of the members of the committee—
 - (a) the meeting is to be adjourned for at least 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.
- (4) If, at an adjourned meeting mentioned in subrule (3), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

20. 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.

21. MINUTES OF MANAGEMENT COMMITTEE MEETINGS

- (1) The Assistant 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.

22. APPOINTMENT OF SUB-COMMITTEES

- (1) The management committee may appoint a 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 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 subcommittee may meet and adjourn as it considers appropriate.
- (6) A question arising at a 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.

23. Acts not affected by defects or disqualifications

- (1) An act performed by the management committee, a subcommittee 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, subcommittee or person acting as a member of the management committee; or
 - (b) a management committee member, subcommittee member or person acting as a member of the management committee was disqualified from being a member.

24. 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 1 or more members of the committee.

ANNUAL GENERAL MEETING

25. 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.

26. SUBSEQUENT ANNUAL GENERAL MEETINGS

Each subsequent annual general meeting must be held:

- (1) on the first Saturday in February in each and every year at a different venue each year on a roster system and one calendar months notice of such meeting shall be given by the secretary to all members by notice in writing, and in accordance with any timeframes stipulated in the current By-Laws.

27. BUSINESS TO BE CONDUCTED AT EVERY ANNUAL GENERAL MEETING SHALL BE:

- (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 or an accountant for the present financial year;

28. VOTING AT AN ANNUAL GENERAL MEETING

Only 3 delegates of each affiliated association and all management committee shall have the right to vote at the A.G.M. however, any retiring office bearer who has been defeated in a ballot for their position or retires from office shall retain the right to cast a vote for the remainder of the A.G.M. whereat they loses or retires from their position.

GENERAL MEETINGS

29. NOTICE OF GENERAL MEETING

- (1) The secretary may call a general meeting of the association.
- (2) The secretary must give at least 14 days notice of the meeting to each member of the association, and in accordance with any timeframes stipulated in the current By-Laws.
- (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.

30. QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING

- (1) The quorum for a general meeting shall be double the number of Office Bearers presently on the management committee plus 1.
- (2) No business may be conducted at a general meeting unless there is a quorum of delegates when the meeting proceeds to business.
- (4) If there is no quorum within 30 minutes after the time fixed for a general meeting called on the request of the management committee or the association, the meeting lapses.
- (5) If there is no quorum within 30 minutes after the time fixed for a general meeting called other than on the request of the management committee or the association—
 - (a) the meeting is to be adjourned for at least 7 days; and
 - (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.
- (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 30 days.
- (9) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

31. PROCEDURE AT A GENERAL MEETING

- (1) A member may take part and vote in a general meeting in person, by proxy, by attorney.
- (2) 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 15 minutes after the time fixed for the meeting or is unwilling to act, the Senior Vice-President shall be the chairman or if the Senior Vice-President is not present or is unwilling to act then the members present shall elect

one of the Vice-Presidents to be Chairman of the meeting and if no such officer is present then the members shall elect one of their number to be chairman of the meeting.

(c) the chairperson must conduct the meeting in a proper and orderly way.

32. VOTING AT A GENERAL MEETING

- (1) Every question, matter or resolution shall be declared by a majority of votes of the delegates and office bearers present;
- (2) Every delegate and office bearer present shall be entitled to one vote and in the case of an equality of votes the Chairman shall have a second or casting vote;
- (3) No member shall be entitled to vote at any general meeting if their annual subscription is more than one month in arrears at the date of the meeting;

Only 3 delegates of each affiliated association and all management committee shall have the right to vote at a general or any special meeting of the association.

- (2) Voting shall be by show of hands or a division of delegates and office bearers unless not less than 20% of the delegates and office bearers present demand a ballot, in which event there shall be a secret ballot.
- (3) The Chairman shall appoint two persons and one office bearer to conduct the secret ballot in such manner as he shall determine.
- (4) the result of the ballot as declared by the Chairman shall be deemed to be a resolution of the meeting at which the ballot was demanded.

33. SPECIAL GENERAL MEETING

- (1) The secretary must call a special general meeting by giving each member of the association notice of the meeting within 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 Office Bearers of the management committee when the request is signed; or
 - (ii) at least the number of ordinary members of the association equal to double the number of Office Bearers 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 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.

34. PROXIES

- (1) (a) a delegate or office bearer may vote in person or by proxy or by attorney
- (b) on a show of hands every person present who is a delegate or office bearer or a representative of a member shall have one vote
- (c) in a secret ballot every delegate or office bearer present in person or by proxy or by attorney or other duly authorised representative shall have one vote;
- (2) (a) Only Associations in attendance have the right to apply for proxy votes up to their allowable number. A letter of request for proxy votes for their Association to be sent to QIBA secretary seven (7) days prior to meeting.
- (b) Associations not attending meeting can only vote on matters on agenda by letter. A request for proxy votes with their voting requirements to be sent to QIBA secretary seven (7) days prior to meeting.

(1) An instrument appointing a proxy must be in writing and be in the following or similar form—
Queensland Indoor Bowling Association Incorporated (or Inc.):

I, _____ being _____
(authorised person) (Official position)

of _____ Association, being
a financial member of the Queensland Indoor Bowling Association Inc. hereby appoint
_____ as our proxy to vote on our behalf at the
Annual General Meeting and/or General meeting held on the _____ day of _____
20__ or at any adjournment of that meeting, or failing him/her by _____.

Signature of person applying for proxy votes.

Date

- (2) The instrument appointing a proxy must—
 - (a) if the appointor is an individual—be signed by the appointor or the appointor's attorney properly authorised in writing; or
 - (b) if the appointor is a corporation—
 - (i) be under seal; or
 - (ii) be signed by a properly authorised officer or attorney of the corporation.
- (3) A proxy may be a registered player of the association or another person.
- (4) The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.
- (5) Each instrument appointing a proxy must be given to the secretary before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote.
- (6) Unless otherwise instructed by the appointor, the proxy may vote as the proxy considers appropriate.
- (7) If a member wants a proxy to vote for or against a resolution, the instrument appointing the proxy must be in the following or similar form—
Queensland Indoor Bowling Association Incorporated (or Inc.):

I, _____ being _____
(Name) (Official position)

of _____ Association
being a financial member of the Queensland Indoor Bowling Association Inc. hereby apply
to have _____ proxy vote/s at the Annual General Meeting and/or General meeting held
on the _____ day of _____ or at any
adjournment of that meeting, to be voted on behalf of the above named Association by
_____ or failing him/her by _____

Signature of person applying for proxy votes. *Date*

This form is to be used *in favour of* against [*strike out whichever is not wanted*] the following resolutions—

[*List relevant resolutions*]

35. MINUTES OF MEETINGS

- (1) The Assistant Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each annual general meeting, general meeting and management committee meetings are entered in a minute book.
- (2) To ensure the accuracy of the minutes—
 - (a) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and
 - (b) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.
 - (c) the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting, verifying their accuracy
- (3) If asked by a member of the association, the secretary must, within 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.

36. 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 and
- (2) Any bylaw may be set aside by a vote of members at a general meeting of the association.

37. ALTERATION OF RULES

- (1). Subject to the provisions of the Act, these Rules may be amended, rescinded or added to by a special resolution carried at an annual meeting by $\frac{3}{4}$ of the voting power:
- (2) Provided that no such amendment, rescission or addition shall be valid unless the same is registered by the Secretary with the Office of Fair Trading.

38. COMMON SEAL

- (1) The management committee must ensure the association has a common seal.
- (2) The common seal must be—
 - (a) kept securely by the management committee; and
 - (b) used only under the authority of the management committee.

- (3) Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by—
- (a) the secretary; or
 - (b) another member of the management committee; or
 - (c) someone authorised by the management committee.

FUNDS AND ACCOUNTS

- 39.(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 \$100 or more must be made by cheque or electronic funds transfer.
- (5) If a payment of \$100 or more is made by cheque, the cheque must be signed by any 2 of the following—
- (a) the president;
 - (b) the secretary;
 - (c) the treasurer;
 - (d) any 1 of 3 other members of the association who have been authorised by the management committee to sign cheques issued by the association.
- (6) However, 1 of the persons who signs the cheque must be the president, the secretary or the treasurer.
- (7) Cheques must be crossed not negotiable.
 - (8) All expenditure shall be approved or ratified at a Management Committee meeting.

40. GENERAL FINANCIAL MATTERS

- (1) 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.
- (2) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.
- (3) All such statement shall be examined by the auditor who shall present his report upon such audit to the secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.

41. DOCUMENTS

The management committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

42. FINANCIAL YEAR

The financial year of the Association shall close on 31st December in each year.

43. 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.

DRAFT Dec 2018