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BRISBANE SENIORS TENNIS CLUB INC.

CONSTITUTION

1. INTERPRETATION

1.1. In this constitution—

Act means the *Associations Incorporation Act 1981 as amended from time to time*

Senior means a person to has reached or will reach the age of 35 years in the year in which he/she participates in an organised senior tennis event

1.2. A word or expression that is not defined in this constitution, but is defined in the Act has, if the context permits, the meaning given by the Act.

2. NAME

2.1. The name of the incorporated association shall be: -

THE BRISBANE SENIORS TENNIS CLUB INC.

3. OBJECTS

3.1. The objects for which the association is established are: -

- To promote the game of tennis for senior players in Brisbane and surrounding areas and to organising and administering a league and tournament/s for seniors.
- To act at all times on behalf of and in the interest of the members and tennis
- To advance the operations and activities of the club throughout Brisbane and to encourage our members to participate in Seniors tennis events throughout Australia
- To have regard to the public interest in its operation
- To undertake and do all things or activities which are necessary for the advancement of these objects
- To uphold and maintain the Rules and Regulations of tennis for the time being in force as outlined in the By-Laws

4. POWERS

- 4.1. The association has, in the exercise of its affairs, all the powers of an individual.
- 4.2. The association may, for example: -
 - 4.2.1. enter into contracts and;
 - 4.2.2. acquire, hold, deal with and, dispose of, property and;
 - 4.2.3. make charges for services and facilities it supplies and;
 - 4.2.4. do other things necessary or convenient to be done in carrying out its affairs
- 4.3. The association may also issue secured and unsecured notes, debentures and debenture stock for the association.
- 4.4. To subscribe to, become a member of and co-operate with any other association, club or organisation whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of rule 33(10);
- 4.5. To purchase, take on lease or in exchange, hire and otherwise acquire any lands, building, easements or property, real and personal, and any rights or privileges which may be requisite for the purpose of, or capable of being conveniently used in connection with, any of the objects of the Association: Provided that in case the Association shall take or hold any property which may be subject to any trusts the Association shall only deal with the same in such manner as is allowed by law having regard to such trusts;
- 4.6. To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
- 4.7. To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in the furtherance of its objects;
- 4.8. To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit;
- 4.9. To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;
- 4.10. To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures, or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the

- incorporated association's property or assets present or future and to purchase, redeem or pay-off any such securities;
- 4.11. To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
 - 4.12. In furtherance of the objects of the Association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association;
 - 4.13. To take any gift or property whether subject to any special trust or not, for anyone or more of the objects of the Association but subject always to the proviso in sub-rule (5);
 - 4.14. To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose or procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise;
 - 4.15. To print or publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects;
 - 4.16. In furtherance of the objects of the Association to amalgamate with anyone or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of rule 33(10);
 - 4.17. In furtherance of the objects of the Association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of anyone or more of the incorporated associations with which the Association is authorised to amalgamate;
 - 4.18. In furtherance of the objects of the Association to transfer all or any part of the property, assets, liabilities and engagements of the Association to anyone or more of the incorporated associations with which the Association is authorised to amalgamate;
 - 4.19. To make donations for patriotic, charitable or community purposes;
 - 4.20. To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association including the power to impose penalties on players and teams for any breach of these Rules or the Tennis Australia Code of Conduct;

5. CLASSES OF MEMBERSHIP

- 5.1. The membership of the association shall consist of:
 - a) Ordinary Member – Open to adults over the age of thirty-five (35) years with an interest in the activities of the Association. Members have voting rights and are eligible for elections to the Management Committee. Members are required to pay a membership fee.
 - b) Honorary Life Member – Elected for long and meritorious service to the Association. Members have voting rights and are eligible for election to the Management Committee. Members are not required to pay a membership fee.
 - c) Non-Playing Member – Automatic membership granted to registered players. Player members must be over thirty-five (35) at the commencement of the playing season, have no voting rights and are ineligible for election to the Management Committee. Membership fees are included in the player registration fee.
- 5.2. The number of ordinary members shall be unlimited

6. MEMBERSHIP FEES & PAYMENT

- 6.1. The membership fees for each class of membership shall be such sum as the members shall from time to time at any general meeting so determine.
- 6.2. The membership fees for each class of membership shall be payable at such time and, in such manner, as the management committee shall from time to time determine.

7. TERMINATION OF MEMBERSHIP

- 7.1. A member may resign from the association at any time by giving notice in writing to the secretary
- 7.2. Such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice, when it shall take effect on the later date.
- 7.3. If a member: -
 - a) is convicted of an indictable offence; or
 - b) fails to comply with any of the provisions of these rules; or
 - c) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the association; THENthe management committee shall consider whether the member's membership shall be terminated.
- 7.4. The member concerned shall be given a full and fair opportunity of presenting the member's case and, if the management committee resolves to terminate the membership, it shall instruct the secretary to advise the member in writing accordingly.

8. APPEAL AGAINST TERMINATION OF MEMBERSHIP

- 8.1. A person whose membership has been terminated may, within one (1) month of receiving written notification thereof, lodge with the secretary written notice of person's intention to appeal against the decision of the management committee.
- 8.2. Upon receipt of notification of intention to appeal against termination of membership, the secretary shall convene, within three (3) months of the date of receipt by the secretary of such notice, a general meeting to determine the appeal.
- 8.3. At any such meeting, the applicant shall be given the opportunity to fully present the applicant's case and the management committee, or those members thereof who terminated the membership subsequently shall, likewise, have the opportunity of presenting its or their case.
- 8.4. The appeal shall be determined by the vote of the members present at such meeting.

9. REGISTER OF MEMBERS

- 9.1. The management committee shall cause a register to be kept in which shall be entered the names and full particulars of all persons admitted to membership of the association and the dates of their admission.

- 9.2. Particulars shall also be entered into the register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the management committee or the members at any general meeting may require from time to time
- 9.3. The register shall be open for inspection at all reasonable times by any member who previously applies to the secretary for such inspection

10. PROHIBITION ON USE OF INFORMATION ON REGISTER OF MEMBERS

- 10.1. 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.
- Subrule a) does not apply if the use or disclosure of the information is approved by the members.

11. MEMBERSHIP OF MANAGEMENT COMMITTEE

- 11.1. The management committee of the association shall consist of a President, Vice-President, Secretary, Treasurer and up to six (6) other members, all of whom must be members of the association.
- 11.2. At the annual general meeting of the association, all the members of the management committee, for the time being, shall retire from office but shall be eligible, upon nomination, for re-election. The president can only hold office for four (4) consecutive years.
- 11.3. The election of officers and other members of the management committee shall take place in the following manner: -
- a) any two (2) members of the association shall be at liberty to nominate any other member to serve as an officer or other member of the management committee;
 - b) the nomination, which shall be in writing and signed by the member and the member's proposer and seconder, shall be lodged with the secretary at least fourteen (14) days before the annual general meeting at which the election is to take place;
 - c) a list of candidates names, in alphabetical order, with the proposers' and seconders' names, shall be posted in a conspicuous place in the office or usual place of meeting of the association for at least seven (7) days immediately preceding the annual general meeting;
 - d) balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order and, each member 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 may be taken from the floor of the meeting.

12. ELECTING THE MANAGEMENT COMMITTEE

- 12.1. The management committee must ensure that, before a candidate is elected as a member of the management committee, the candidate is advised—
- (a) whether or not the association has public liability insurance; and
 - (b) if the association has public liability insurance—the amount of the insurance.

13. RESIGNATION OR REMOVAL FROM OFFICE OF MEMBER OF MANAGEMENT COMMITTEE

- 13.1. Any member of the management committee may resign from membership of the management committee at any time by giving notice in writing to the secretary but, such resignation shall take effect at the time such notice is received by the secretary, unless a later date is specified in the notice,
- 13.2. Such member may be removed from office at a general meeting of the association where the member shall be given the opportunity to fully present the member's case.
- 13.3. A member may be removed from office at a general meeting of the association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- 13.4. Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- 13.5. A member has no right of appeal against the member's removal from office under this rule
- 13.6. A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

14. VACANCIES ON MANAGEMENT COMMITTEE

- 14.1. The management committee shall have power at any time to appoint any member of the association to fill any casual vacancy on the management committee until the next annual general meeting
- 14.2. The continuing members of the management committee may act, notwithstanding any casual vacancy in the management committee, but if, and so long as, their number is reduced below the number fixed by, or pursuant to these rules as the necessary quorum of the management committee, the continuing member or members may act, for the purpose of increasing the number of members of the management committee to that number or of summoning a general meeting of the association, but for no other purpose

15. FUNCTIONS OF THE MANAGEMENT COMMITTEE

- 15.1. Except as otherwise provided by these rules and, subject to resolutions of the members of the association 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
- 15.2. The management committee may exercise all the powers of the association:-
- a) to borrow or raise or secure the payment of money in such manner as the members of the association may think fit 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 and, in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the association's property, both present and future and to purchase, redeem or pay off any such securities;
 - b) to borrow amounts from members and to pay interest on the amounts borrowed and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association and to provide and pay off any such securities; and
 - c) to invest in such manner as the management committee of the association may from time to time determine
- 15.3. For sub-section 2b, the rate of interest must not be more than the rate for the time being charged for overdrawn accounts for money lent (whatever the term of the loan) by:
- a) the financial institution for the association; or
 - b) if there is more than one financial institution for the association, the financial institution nominated by the association

16. MEETINGS OF MANAGEMENT COMMITTEE

- 16.1. The management committee shall meet at least once every three (3) calendar months to exercise its functions
- 16.2. The management committee must decide how a meeting is to be called
- 16.3. Notice of a meeting is to be given in the way decided by the management committee
- 16.4. 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.
- 16.5. A committee member who participates in the meeting as mentioned in subrule (4) is taken to be present at the meeting.
- 16.6. A special meeting of the management committee shall be convened by the secretary on the requisition in writing, signed by not less than one-third of the management committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat
- 16.7. At every meeting of the management committee a simple majority of a number equal to the number of members elected and/or appointed to the management committee as at the close of the last general meeting of the members, shall constitute a quorum
- 16.8. Subject as previously provided in this section, the management committee may meet together and regulate its proceedings as it thinks fit

- 16.9. However, questions arising at any meeting of the management committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative
- 16.10. A member of the management committee shall not vote in respect of any contract or proposed contract with the association in which the member is interested, or any matter arising thereout, and, if the member does so vote the member's vote shall not be counted
- 16.11. Not less than fourteen (14) days' notice shall be given by the secretary to the members of the management committee of any special meeting of the management committee
- 16.12. Such notice shall clearly state the nature of the business to be discussed thereat
- 16.13. The president shall preside as chairperson at every meeting for the management committee, or, if there is no president, or, if at any meeting the president is not present within ten (10) minutes after the time appointed for holding the meeting, the vice-president shall be chairperson or, if the vice-president is not present at the meeting then, the members may choose one (1) of their number to be chairperson of the meeting
- 16.14. If, within half an hour from the time appointed for the commencement of a management committee, a quorum is not present, the meeting, if convened upon the requisition of members of the management committee shall lapse
- 16.15. If any other case, it shall stand adjourned to the same day in the next week at the same time and place as the management committee may determine and, if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse

17. QUORUM FOR, AND ADJOURNMENT OF, MANAGEMENT COMMITTEE MEETING

- 17.1. 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.
- 17.2. 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.
- 17.3. 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.
- 17.4. 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.

18. SPECIAL MEETING OF MANAGEMENT COMMITTEE

- 18.1. 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.
- 18.2. If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.
- 18.3. 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.
- 18.4. 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.
- 18.5. 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.

19. MINUTES OF MANAGEMENT COMMITTEE MEETINGS

- 19.1. The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting are entered in a minute book.
- 19.2. 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.

20. APPOINTMENT OF SUBCOMMITTEES

- 20.1. 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.
- 20.2. A member of the subcommittee who is not a member of the management committee is not entitled to vote at a management committee meeting.
- 20.3. A subcommittee may elect a chairperson of its meetings.
- 20.4. 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.
- 20.5. A subcommittee may meet and adjourn as it considers appropriate.
- 20.6. 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.

21. DELEGATION OF POWERS OF MANAGEMENT COMMITTEE

- 21.1. The management committee may delegate any of its powers to a subcommittee consisting of such members of the association as the management committee thinks fit
- 21.2. Any subcommittee so formed shall, in the exercise of the powers so delegated, conform to any regulations that may be imposed on it by the management committee.

22. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

- 22.1. All acts done by any meeting of the management committee or of a sub-committee or by any person acting as a member of the management committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the management committee or person acting as aforesaid or, that the members of the management committee or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the management committee.

23. RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING

- 23.1. a resolution in writing signed by all the members of the management committee for the time being entitled to receive notice of a meeting of the management committee shall be as valid and effectual as if it had been passed at a meeting of the management committee duly convened and held.

24. ANNUAL GENERAL MEETINGS

- 24.1. Each annual general meeting must be held:-
- a) at least once a year; and
 - b) within three (3) months after the association's previous financial year

25. BUSINESS TO BE TRANSACTED AT ANNUAL GENERAL MEETING

- 25.1. The following business must be transacted at every annual general meeting:-
- a) the receiving of the statement of income and expenditure, assets & liabilities and of mortgages, charges & securities affecting the property of the association for the last financial year;
 - b) the receiving of the auditor's report on the financial affairs of the association for the last financial year;
 - c) the presenting of the audited statement to the meeting for adoption;
 - d) the election of members of the management committee;
 - e) the appointment of an auditor
 - f) confirmation of previous AGM minutes
 - g) the receiving the Presidents report

26. SPECIAL GENERAL MEETING

- 26.1. The secretary shall convene a special general meeting by sending out notice of the meeting within fourteen (14) days of:-
- a) being directed to do so by the management committee; or
 - b) being given a requisition in writing signed by no less than one-third of the members presently on the management committee or not less than the

- number of ordinary members of the association which equals double the number of members presently on the management committee plus one:
- c) being given a notice in writing of an intention to appeal against the decision of the management committee to reject an application for membership or to terminate the membership of any person
- 26.2. A requisition mentioned in subsection 1(b) shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat

27. QUORUM AT SPECIAL GENERAL MEETING

- 27.1. At any special general meeting the number of members required to constitute a quorum shall be double the number of members presently on the management committee plus one (1)
- 27.2. No business shall be transacted at any special general meeting unless a quorum of members is present at the time when the meeting proceeds to business
- 27.3. If, within half an hour from the time appointed for the commencement of a special general meeting, a quorum is not present, the meeting, if convened upon the requisition of members of the management committee or the association, shall lapse
- 27.4. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the management committee may determine and, if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum
- 27.5. The chairperson may, with the consent of any meeting at which a quorum is present (and shall, if so directed by the meeting) adjourn the meeting from time to time and from place to place but, no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place
- 27.6. When a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given as in the case of an original meeting
- 27.7. Save as aforesaid, it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting

28. NOTICE OF SPECIAL GENERAL MEETING

- 28.1. The secretary may call a special general meeting of the association.
- 28.2. The secretary must give at least 14 days notice of the meeting to each member of the association.
- 28.3. If the secretary is unable or unwilling to call the meeting, the president must call the meeting.
- 28.4. The management committee may decide the way in which the notice must be given.
- 28.5. 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.

- 28.6. A notice of a special general meeting must state the business to be conducted at the meeting.

29. PROCEDURE AT SPECIAL GENERAL MEETING

- 29.1. Unless otherwise provided by these rules, at every general meeting:-
- a) the president shall preside as chairperson or, if there is no president or, if the president is not present within fifteen (15) minutes after the time appointed for the holding of the meeting or, is unwilling to act, the vice president shall be the chairperson or, if the vice-president is not present or is unwilling to act, then the members present shall elect one of their number to be chairperson of the meeting; and
 - b) the chairperson shall maintain order and conduct the meeting in a properly and orderly manner; and
 - c) every question, matter or resolution shall be decided by a majority of votes of the members present; and
 - d) every member present shall be entitled to one (1) vote and, in the case of an equality of votes, the chairperson shall have a second or casting vote; and
 - e) voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot in which event there shall be a secret ballot; and
 - f) the chairperson shall appoint two (2) members to conduct the secret ballot in such manner as the chairperson shall determine and, the result of the ballot as declared by the chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded; and
 - g) a member may vote in person and on a show of hands or secret ballot. Every person present who is a member shall have one (1) vote and;
 - h) a member may not vote by proxy; and
 - i) the secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every management committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the secretary for that inspection

30. MINUTES OF SPECIAL GENERAL MEETINGS

- 30.1. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every management committee meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding management committee meeting verifying their accuracy
- 30.2. Similarly, the minutes of every general meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding general meeting
- 30.3. However, the minutes of any annual general meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding general meeting or annual general meeting.
- 30.4. 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.

- 30.5. The association may require the member to pay the reasonable costs of providing copies of the minutes.

31. BY-LAWS

- 31.1. The management committee may, from time to time, make, amend or repeal by-laws not inconsistent with these rules, for the internal management of the association and, any by-law may be set aside by a general meeting of members.

32. ALTERATION OF RULES

- 32.1. Subject to the provisions of the Associations Incorporation Act 1981, these rules may be amended, rescinded or added to from time to time by a special resolution carried at any general meeting
- 32.2. However, an amendment, rescission or addition is valid only if it is registered by the chief executive of the Office of Fair Trading

33. FUNDS AND ACCOUNTS

- 33.1. The funds of the association must be kept in the name of the association in a financial institution decided by the management committee
- 33.2. Electronic records and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the association and the particulars usually shown in books of a like nature.
- 33.3. All monies shall be deposited as soon as practicable after receipt thereof
- 33.4. All amounts where possible shall be paid by cheque and or electronic transfer, signed by and two (2) of the president, secretary, treasurer or other member authorised from time to time by the management committee
- 33.5. Cheques shall be cross "not negotiable" except those in payment of wages, allowances or petty cash recoupments which may be open
- 33.6. The management committee shall determine the amount of petty cash which shall be kept on the imprest system
- 33.7. All expenditure shall be approved or ratified at a management committee meeting
- 33.8. As soon as practicable after the end of each financial year, the treasurer shall cause to be prepared a statement containing the particulars of: -
- a) the income & expenditure for the financial year just ended; and
 - b) the assets & liabilities & of all mortgages, charges & securities affecting the property of the association at the close of that year
- 33.9. The auditor must examine the statement prepared under subsection (8) and present a report on it to the secretary before the next annual general meeting following the financial year for which the audit was made
- 33.10. The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers

34. DOCUMENTS

- 34.1. The office bearers (as defined) shall provide for the safe custody of electronic records, documents, instruments of title and securities of the association

35. FINANCIAL YEAR

- 35.1. The financial year of the Association shall close on the 30th September in each year

36. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

- 36.1. This section applies if the Association is wound-up under part 10 of the Act and there are surplus assets
- 36.2. The surplus assets must not be distributed among the members but must be given to another entity: -
 - a) that has objects similar to the association's objects; and
 - b) the rules of which prohibit the distribution of the entity's income & assets to its members
 - c) In this rule— **surplus assets** see section 92(3) of the Act..