



# CONSTITUTION

## 1. NAME

The name of the Association shall be “Beacon Hill Youth Club Incorporated”.

## 2. OBJECTS

The objects of the organisation are as follows:

- 2.1 To afford the residents of Beacon Hill and surrounding districts an opportunity to participate in healthy recreation.
- 2.2 To promote the principles of good sportsmanship and citizenship within the community.
- 2.3 To instill an appreciation of the benefits of sport and of the observance of those Clauses within the community.
- 2.4 To encourage sport and other cultural and social activities within the community.
- 2.5 To encourage the community to participate in their responsibility towards adolescents.

## 3. INTERPRETATION

- 3.1 In these Clauses except so far as the context or subject matter otherwise indicates or requires:
  - 3.1.1 MEMBER is a person aged over 18 years approved for membership by the Committee of the Association.
  - 3.1.2 COMMITTEE MEMBER is a member of the Committee who is not an Office Bearer of the Association as referred to in Clause 16.
  - 3.1.3 LIFE MEMBER is a person elected in accordance with Clause 6.
  - 3.1.4 FAMILY is a group of related or associated persons residing at the same address.
  - 3.1.5 SECRETARY is the person holding office under these Clauses as Secretary of the Association or when no such person holds that office, the Public Officer of the Association (PUBLIC OFFICER) shall be the Secretary or any other person elected by the Committee.
  - 3.1.6 SPECIAL GENERAL MEETING is a General Meeting of the Association other than the Annual General Meeting.
  - 3.1.7 THE REGULATION is the *Association Incorporation Regulation 1999*.
- 3.2 In these Clauses:
  - 3.2. a reference to a function includes a reference to a power, authority and duty.
  - 3.2.2 a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.
- 3.3 The provisions of the *Interpretation Act 1987* apply to these Clauses in the same manner as those provisions would apply if these Clauses were an instrument made under the Act.

## PART II MEMBERSHIP

### 4. MEMBERSHIP QUALIFICATIONS

- 4.1 A person is qualified to be a member of the Association if:
  - 4.1.1 the person is a person referred to in Clause 15.1.a, 15.1.b or 15.1.c of the Act and has not ceased to be a member of the Association at any time after Incorporation of the Association under the Act or
  - 4.1.2 The person is a natural person over 18 years of age who has applied for membership of the Association as provided by Clause 5 and the person has been approved for membership with the Association by the Committee of the Association.



- 4.2 Any independent person under 18 years of age who applies for membership will be considered on an individual basis by the committee. Membership may be granted to such persons should the committee consider that the application is merited.

## 5. APPLICATION FOR MEMBERSHIP

- 5.1 Application for membership shall be made annually in writing signed by the applicant and shall be in such form and contain such requirement as the Committee from time to time prescribes. The application shall be accompanied by payment of the membership fee and family fund raising levy and any activity registration fees as are required or applicable.
- 5.2 The prescribed membership levy for the ensuing year is to be recommended at the 2nd last meeting of the Committee and set at the final meeting of the Committee of the year.

## 6. ELECTION OF LIFE MEMBERS

- 6.1 Any person who is a member of the Association and/or was a member of the previous Beacon Hill Youth Club for a period of not less than 5 consecutive years and has provided meritorious service for the Club shall be eligible for nomination as a Life Member.
- 6.2 The year of joining either the Club or the Association shall count as the first year of membership.
- 6.3 Each nomination for Life Membership shall be in writing and shall be proposed and seconded by other members.
- 6.4 Any nomination should be received at or before the 2nd last meeting of the Committee for the year.
- 6.5 The Committee shall consider the records and services of each nominee at the 2nd last meeting of the year and submit a report on the eligibility and accuracy of the information provided in support of the nomination. These reports shall be presented at the last meeting of the year for review. No more than two nominees may be put forward for consideration in any one year.
- 6.6 Any nominee for Life Membership shall not be permitted to be present when the Committee considers the records of the nominees.
- 6.7 If any member of the Committee is a nominee, they will stand down and their place shall be taken by the Senior Vice-President, the Vice-President or in the ineligibility or absence of these offices, a Life Member elected by the members present at the 2nd last Committee meeting for the year.
- 6.8 Any person who has previously been granted the status of Life Member of the previous Beacon Hill Youth Club being the Association which preceded this Association, shall be granted status of Life Members of the Association on its incorporation without the need to comply with the requirements of Clause 6.
- 6.9 The records submitted for the nominees, and the report & recommendation by the Committee for Life Membership will be presented to those members present at the Annual General Meeting who shall note on the election of each nominee by a secret ballot. Any recommended nominee receiving the vote of at least 70% of those members present shall be deemed to be elected to a Life Member.

## 7. CESSATION OF MEMBERSHIP

A person ceases to be a member of the Association if the person:

- 7.1 dies
- 7.2 resigns that membership
- 7.3 is expelled from the Association
- 7.4 becomes of unsound mind
- 7.5 is liable to be dealt with in any way under law relating to mental health or
- 7.6 fails to pay any membership levy.

## 8. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

A right, privilege or obligation which a person has by reason of being a member of the Association:

- 8.1 is not capable of being transferred or transmitted to another person; and
- 8.2 terminates upon cessation of the person's membership.



## 9. RESIGNATION OF MEMBERSHIP

- 9.1 A member of the Association is not entitled to resign that membership except in accordance with this Clause.
- 9.2 A member of the Association who has paid all amounts payable by the member to the Association in respect of the membership, may resign from membership of the Association by first giving notice of not less than 1 month (or other such period as the Committee may determine) in writing to the Secretary of the member's intention to resign. Upon the expiration of the period of notice, the member will cease to be a member.
- 9.3 Where a member of the Association ceases to be a member pursuant to Clause 2 and in every other case where a member ceases to hold membership, the Secretary shall make an appropriate entry in the Register of members recording the date on which the member ceased to be a member.

## 10. REGISTER OF MEMBERS

- 10.1 The Public Officer of the Association shall establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association, together with the date on which the person became a member.
- 10.2 The Register of members shall be kept at the principal place of administration of the Association and shall be open for inspection free of charge by any member of the Association at any reasonable hour.

## 11. FEES, LEVIES ETC

- 11.1 A member of the Association shall upon first application for membership in any calendar year pay a fee of \$1.00 (or such other amount as determined by the Committee) together with the Family Fund Raising levy of a nominated figure which will be published in the Annual Report. This levy is not subject to GST. The amount is to be paid once per family, all family members to be residing at the same address.
- 11.2 The Committee may by resolution subsidise any member in cases of hardship
- 11.3 Life Members shall not be required to pay the annual family fund raising levy, nor shall any family member of that person residing at the same address.

## 12. MEMBERS' LIABILITIES

The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or of the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by Clause 11.

## 13. RESOLUTION OF INTERNAL DISPUTES

Disputes between members of the Association, in their capacity as members, and disputes between members and the Association may be referred to a Community Justice Centre for mediation in accordance with the *Community Justice Centres Act 1983*.

## 14. DISCIPLINING OF MEMBERS

- 14.1 Where the Committee is of the opinion that a member of the Association, or an associated person of the member claimed under that membership:
  - 14.1.1 has persistently refused or neglected to comply with the provision or provisions of these Clauses; or
  - 14.1.2 has persistently and/or willfully acted in a manner prejudicial to the interests or the objects of the Association, the Committee may by resolution:
    - 14.1.2.1 expel the member
    - 14.1.2.2 expel or suspend the person responsible for the behaviour from any activities conducted by the Association;
    - 14.1.2.3 suspend the member from membership of the Association for a specified period.
- 14.2 A resolution of the Committee under Clause 1 is of no effect unless the Committee at a Meeting held no earlier than 14 days and no later than 28 days after service on the member of a Notice under Clause 3 confirms the resolution in accordance with this Clause.



- 14.3 Where the Committee passes a resolution under Clause 1, the Secretary shall as soon as practicable cause of a Notice in writing to be served on the member:
- 14.3.1 setting out the resolution of the Committee and the grounds on which it is based;
  - 14.3.2 stating that the member may address the Committee at a Meeting to be held no earlier than 14 days and no later than 28 days after the service of the Notice;
  - 14.3.3 stating the date, place and time of the Meeting; and
  - 14.3.4 informing the member that the member may do either or both of the following:
    - 14.3.4.1 attend and speak at that Meeting
    - 14.3.4.2 submit to the Committee at or prior to the date of that Meeting written representations relating to the resolution.
- 14.4 At a meeting of the Committee held as referred to in Clause 3, the Committee shall:
- 14.4.1 give to the member an opportunity to make oral representations;
  - 14.4.2 give due consideration to any written representation submitted to the Committee by the member at or prior to the Meeting; and
  - 14.4.3 by resolution determine whether to confirm or revoke the resolution.
- 14.5 The resolution confirmed by the Committee under Clause 4 takes effect as a the date of the resolution.

## PART III THE COMMITTEE

### 15. POWERS ETC OF COMMITTEE

The Committee shall be called a Committee of Management of the Association and subject to the Act, the Regulation and these Clauses and to any resolution passed by the Association in General Meeting:

- 15.1 shall control and manage the affairs of the Association;
- 15.2 may exercise all functions as may be exercised by the Association other than those functions that are required by these Clauses to be exercised by a General Meeting of members of the Association; and
- 15.3 has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Association.

### 16. CONSTITUTION AND MEMBERSHIP

- 16.1 Subject in the case of the first members of the Committee to Section 21 of the Act, the Committee shall consist of:
- 16.1.1 the Office Bearers of the Association;
  - 16.1.2 one elected Committee member from each activity within the Club, each of whom shall be elected at the Annual General Meeting of the delegated sub-committees representing each activity conducted by the Club in any given year.
- 16.2 The Office Bearers of the Association shall be:
- 16.2.1 the President
  - 16.2.2 the Vice-President
  - 16.2.3 the Treasurer
  - 16.2.4 the Secretary
  - 16.2.5 such other Officers as shall be decided by the members of the Association at the Annual General Meeting.
- 16.3 Each member of the Committee shall, subject to these Clauses hold Office until the conclusion of the Annual General Meeting following the date of the members' election but is eligible for a re-election.
- 16.4 In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of the Association or of the existing Committee to fill the vacancy and the member so appointed shall hold Office subject to these Clauses until the conclusion of the Annual General Meeting next following the date of appointment.



## 17. ELECTION OF COMMITTEE MEMBERS & OFFICE BEARERS

- 17.1 Except as in Clause 17.6, nomination of candidates for election as Office Bearers of the Association:
- 17.1.1 Shall be minuted at the Annual General Meeting;
  - 17.1.2 May be in writing and signed by a member of the Association and accompanied by the written consent of the candidate (which may be endorsed on the Nomination) and shall be delivered to the Secretary of the Association at or before the Annual General Meeting at which the election has to take place.
  - 17.1.3 In the event there are insufficient written nominations, nominations may be accepted from the floor of the Annual General Meeting.
- 17.2 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- 17.3 If insufficient further nominations are received, any vacant positions remaining on the Committee shall be deemed to be casual vacancies.
- 17.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 17.5 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- 17.6 Members elected by the delegated sub-committee as per Clause 16.1.b shall automatically become members of the committee.
- 17.7 The ballot for the election of Office Bearers of the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.
- 17.8 A nomination of a candidate for election under this Clause is not valid if that candidate has been nominated for election to another office at the same election unless the nominee has consented to such nominations.

## 18. SECRETARY

- 18.1 The Secretary of the Association shall as soon as practicable after being appointed as Secretary lodge notice with the Association of his or her address.
- 18.2 It is the duty of the Secretary to keep minutes of:
- 18.2.1 all appointments of Office Bearers and members of the Committee;
  - 18.2.2 the names of members of the Committee present at a Committee Meeting or General Meeting; and
  - 18.2.3 all proceedings at Committee Meetings and General Meetings.
- 18.3 Minutes of proceedings at a Meeting shall be signed by the Chairperson of the Meeting or by a Chairperson of the next succeeding Meeting.

## 19. TREASURER

It is the duty of the Treasurer of the Association to ensure that:

- 19.1 all money due to the Association is collected and received and that all payments authorized by the Association are made; and
- 19.2 correct books and accounts are kept showing the financials

## 20. CASUAL VACANCIES

For the purpose of these Clauses, a casual vacancy in the Office of a member of the Committee occurs if the member:

- 20.1 dies;
- 20.2 ceases to be a member of the Association;
- 20.3 becomes an insolvent under administration within the meaning of Corporations Law;
- 20.4 resigns Office by notice in writing given to the Secretary;
- 20.5 is removed from Office under Clause 14;
- 20.6 becomes of unsound mind;
- 20.7 becomes a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;



- 20.8 if absent without the consent of the Committee from all Meetings of the Committee held during a period of 6 months;
- 20.9 ceases to be a member of the Association;
- 20.10 holds an office of profit under the organization unless that person does so with the expressed approval of the Management Committee; or
- 20.11 is directly or indirectly interested in any Contract or proposed Contract with the organization unless that person does so with the expressed approval of the Management Committee.

## 21. REMOVAL OF MEMBER OF COMMITTEE

- 21.1 The Association in a General Meeting may by resolution remove any member of the Committee from the Office of Member before the expiration of the member's term of Office and may by resolution appoint another person to hold Office until the expiration of the term of Office of the member so removed.
- 21.2 Where a member of the Committee to whom a proposed resolution referred to in Clause 21.1 relates makes representations in writing to the Secretary or President (not exceeding a reasonable length) and requests that the representations be notified to the members of the Association, the Secretary or the President may send a copy of the representations to each member of the Association or if the representations are not so sent, the member is entitled to require that representations be read out at a Meeting during which the resolution is considered.

## 22. MEETINGS AND QUORUM

- 22.1 The Committee shall meet at least 3 times in each period of 12 months at such place and times as the Committee may determine.
- 22.2 Additional Meetings of the Committee may be convened by the President or any member of the Committee.
- 22.3 Oral or written notice of a Meeting shall be given by the Secretary to each member of the Committee at least 48 hours or such other period as may be unanimously agreed upon by members of the Committee before the time appointed for the holding of the Meeting.
- 22.4 Notice of a meeting given under Clause 22.3 shall specify the general nature of the business to be transacted at the Meeting and no business other than that business shall be transacted at the Meeting, except business which the Committee members present at the Meeting unanimously agree to treat as urgent business.
- 22.5 Any 5 members of the Committee constitute a quorum for the transaction of the business of a Meeting of the Committee.
- 22.6 No business shall be transacted by the Committee unless a quorum is present and if within half an hour of the time appointed for the Meeting a quorum is not present, the Meeting stands adjourned to the same place and at the same hour of the same day on the following week.
- 22.7 If at the adjourned Meeting a quorum is not present within half an hour of the time appointed for the Meeting, the Meeting shall be dissolved.
- 22.8 At a Meeting of the Committee:
  - 22.8.1 the President or in the President's absence the Vice-President shall preside; or
  - 22.8.2 if the President and the Vice-President are absent or unwilling to act such one of the remaining members of the Committee may be chosen by the members present at the Meeting shall preside.

## 23. DELEGATION BY COMMITTEE TO SUB-COMMITTEE

- 23.1 The Committee may by instrument in writing delegate to one or more sub-committees (consisting of such members or member of the Association as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument other than:
  - 23.1.1 this power of delegation; and
  - 23.1.2 a function which is a duty imposed on the Committee by the Act or by any other law.
- 23.2 A function the exercise of which has been delegated to a sub-committee under this Clause may while the delegation remains unrevoked be exercised from time to time by the sub-committee in accordance with the terms of the delegation.



- 23.3 A delegation under this Section may be made subject to such conditions or limitations as to the exercise of any function the subject hereof or as to time or circumstances may be specified in the instrument of delegation.
- 23.4 Notwithstanding any delegation under this Clause the Committee may continue to exercise any function delegated if necessary.
- 23.5 Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this Clause has the same force and effect as if it would have been done or suffered by the Committee.
- 23.6 The Committee may by instrument in writing revoke wholly or in part any delegation under this Clause.
- 23.7 A sub-committee may meet and adjourn as it thinks proper.

## 24. VOTING AND DECISIONS

- 24.1 Questions arising at a Meeting of the Committee or of any sub-committee appointed by the Committee shall be determined by a majority of votes of members of the Committee or subcommittee present at the meeting.
- 24.2 Each member present at a Meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the Meeting) is entitled to one vote but in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 24.3 Subject to Clause 22.5 the Committee may act, notwithstanding any vacancy on the Committee.
- 24.4 Any act or thing done or suffered or purporting to have been done or suffered by the Committee or by a sub-committee appointed by the Committee is valid and effective notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-committee.

## PART IV GENERAL MEETINGS

### 25 HOLDING OF ANNUAL GENERAL MEETINGS

- 25.1 With the exception of the first Annual General Meeting of the Association, the Association shall at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Association convene an Annual General Meeting of its members.
- 25.2 The Association shall hold its first Annual General Meeting:
  - 25.2.1 within the period of 18 months after its Incorporation under the Act; and
  - 25.2.2 within the period of 6 months after the expiration of the first financial year of the Association.
- 25.3 Clauses 1 and have effect, subject to any extension of permission granted by the Committee under Section 26(3) of the Act.

### 26. CALLING OF AND BUSINESS AT ANNUAL GENERAL MEETINGS

- 26.1 The Annual General Meeting of the Association shall, subject to the Act and to Rule 22 be convened on such date and such place and time the Committee thinks fit.
- 26.2 In addition to any other business, which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be:
  - 26.2.1 to confirm the Minutes of the last preceding Annual General Meeting and if any special General Meeting held since that Meeting;
  - 26.2.2 to receive from the Committee reports upon the activities of the Association during the last preceding financial year;
  - 26.2.3 to elect Office Bearers of the Association and ordinary members of the Committee; and
  - 26.2.4 to receive and consider the Statement which is required to be submitted to members pursuant to Section 26(6) of the Act.
- 26.3 An Annual General Meeting shall be specified as such in the notice convenient.



## 27. CALLING OF SPECIAL GENERAL MEETINGS

- 27.1 Any two members of the Committee may, wherever it thinks fit, convene a Special General Meeting of the Association.
- 27.2 The Committee shall, on the requisition in writing by a Member representing not less than 5% of the total number of members, convene a Special General Meeting of the Association.
- 27.3 A requisition of Members for a Special General Meeting:
  - 27.3.1 shall state the purpose or purposes of the Meeting;
  - 27.3.2 shall be signed by the members making the requisitions;
  - 27.3.3 shall be lodged with the Secretary; and
  - 27.3.4 may consist of several documents in similar form, each signed by one or more of the members making the requisition.
- 27.4 If the Committee fails to convene a special General Meeting to be held within one month after the date on which a requisition of members for the Meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special General Meeting to be held not later than 3 months after that date.
- 27.5 A Special General Meeting, convened by a member or members as referred to in Clause 4, shall be convened as nearly as is practicable in the same manner as General Meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expense so incurred.

## 28. NOTICE

- 28.1 Except where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Association, the Secretary shall cause to be sent by a pre-paid post to each member at the member's address appearing in the Register of Members or by email to the email address appearing in the Register of Members a notice specifying the place, date and time of the Meeting and the nature of the business proposed to be transacted at the Meeting. This notice shall be sent at least 14 days before the date fixed for the holding of the General Meeting
- 28.2 Where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Association, the Secretary shall at least 21 days before the date fixed for the holding of the General Meeting cause notice to be sent to each member in the manner provided in Clause 1 specifying in addition to the matter required under Clause 1 the intention to propose the resolution as a special resolution.
- 28.3 No business other than that specific in the notice convening a General Meeting shall be transacted at the Meeting except in the case of an Annual General Meeting business which may be transacted pursuant to Clause 26(2).
- 28.4 A member intending to bring any business before a General Meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling a General Meeting given after the receipt of the notice from the member.

## 29. PROCEDURE

- 29.1 No item of business shall be transacted at a General Meeting unless a quorum of members entitled under these Rules to vote is present during the time the Meeting is considering that item.
- 29.2 Five (5) members present in person (being members entitled to vote at a General Meeting under these Rules) constitute a quorum for the transaction of the business at a General Meeting.
- 29.3 If within half an hour after the appointed time for the commencement of a General Meeting a quorum is not present, the Meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day on the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the Meeting or communicated by written notice to members given before the day to which the Meeting is adjourned) at the same place.
- 29.4 If at the adjourned Meeting a quorum is not present within half an hour after the time appointed for the commencement of the Meeting, the members present (being not less than 3) shall constitute a quorum.





## 30. PRESIDING MEMBER

- 30.1 The President or in the President's absence the Vice-President shall preside as Chairperson at each General Meeting of the Association.
- 30.2 If the President and the Vice-President are absent from a General Meeting or unwilling to act, the members present shall elect one of their number to preside as Chairperson at the Meeting.

## 31. ADJOURNMENT

- 31.1 The Chairperson of a General Meeting at which a quorum is present may with the consent of the majority of members present at the Meeting adjourn the Meeting from time to time and place to place but no business shall be transacted at an adjourned Meeting other than the business left unfinished at the Meeting at which the adjournment took place.
- 31.2 Where a General Meeting is adjourned for 14 days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Association state the place, date, time of the Meeting and the nature of the business to be transacted at the Meeting.
- 31.3 Except as provided in Clauses 1 and 2 notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned Meeting is not required to be given.

## 32. MAKING OF DECISIONS

- 32.1 A question arising at a General Meeting of the Association shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the Minute Book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 32.2 At a General Meeting of the Association, a poll may be demanded by the Chairperson or by not less than 3 members present in person or by proxy at the Meeting.
- 32.3 Where a poll is demanded at a General Meeting, the poll shall be taken:
  - 32.3.1 immediately in the case of a poll which relates to the election of the Chairperson of the Meeting or to the question of an adjournment; or
  - 32.3.2 in any other case, in such manner and at such time before the close of the Meeting as the Chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the Meeting on that matter.

## 33. SPECIAL RESOLUTION

A resolution of the Association is a special resolution if:

- 33.1 it is passed by a majority which comprises not less than three-quarters of such Members of the Association as, being entitled under these Rules so to do, vote in person or by proxy at a General Meeting of which not less than 21 days' written notice, specifying the intention to propose the resolution as a special resolution was given in accordance with these Rules; or
- 33.2 where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) - the resolution is passed in the manner specified by the Association.

## 34. VOTING

- 34.1 Upon any question arising at a General Meeting of the Association, a Member has one vote only.
- 34.2 All votes shall be given personally or by proxy but no member may hold more than 5 proxies.
- 34.3 In the case of an equality of votes on a question at a General Meeting, the Chairperson of the Meeting is entitled to exercise a second or casting vote.
- 34.4 A Member or proxy is not entitled to vote at any General Meeting of the Association unless all money due and payable by the member or proxy to the Association has been paid.



## 35. APPOINTMENT OF PROXIES

- 35.1 Each member shall be entitled to appoint another member as proxy by notice given to the Secretary no later than 24 hours before the time of the Meeting in respect of which the proxy is appointed.
- 35.2 The notice appointing the proxy shall be in the form set out in Appendix 2 to these Rules.

## PART V MISCELLANEOUS

### 36. INSURANCE

- 36.1 The Association shall effect and maintain insurance pursuant to Section 44 of the Act.
- 36.2 In addition to the insurance required under Clause (1), the Association may effect and maintain other insurance, in particular those Insurances associated with the activities of the Sections.

### 37. FUNDS – SOURCE

- 37.1 The funds of the Association shall be derived from entrance fees, annual subscriptions of members, family fundraising fees, donations, tied grants, sponsorship payments, sale of Club clothing and playing equipment, sale of food and beverages and subject to any resolution passed by the Association in General Meeting, such other sources as the committee determines.
- 37.2 All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's Bank Account.
- 37.3 The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.
- 37.4 Funds may be designated into Sectional specific accounts where determined as being channelled for specific purposes, or as determined by a sponsorship body but are at all times are regarded as under overall Association management.
- 37.5 Where funds are sought the appropriate form, the "Cheque Requisition Form", must be sent to the Member associated with delegation of funds.

### 38. FUNDS – MANAGEMENT

- 38.1 Subject to any resolution passed by the Association in General Meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the Committee determines.
- 38.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments, shall be signed by any 2 members of the Committee, being members or employees authorised to do so by the Committee.

### 39. ALTERATION OF OBJECTS AND RULES

The statement and these clauses may be altered or rescinded or added to any by special resolution of the Association at the Annual General Meeting or a Special General Meeting as called in accordance with the preceding clauses.

### 40. COMMON SEAL

- 40.1 The common seal of the Association shall be kept in the custody of the Public Officer.
- 40.2 The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the Committee or of 1 member of the Committee and of the Public Officer or Secretary.

### 41. CUSTODY OF BOOKS ETC.

Except as otherwise provided by these rules, the Public Officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Association.



## 42. INSPECTION OF BOOKS ETC.

The records, books and other documents of the Association shall be open to inspection, free of charge, by a Member of the Association at any reasonable hour as determined by the Committee.

## 43. SERVICE OF NOTICES

- 43.1 For the purpose of these rules, a notice may be served by or on behalf of the Association upon any Member either personally or by sending it by post to the Member at the Member's address as shown in the Register of Members.
- 43.2 Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document or by properly addressed the document by email, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

## 44. DISSOLUTION

The organization shall be dissolved in the event of the membership being less than 5 persons or upon the vote of a 75% majority of the members present at a special General Meeting convened to consider such question.

## PART VI ADDITIONAL RULES APPLICABLE TO CHARITIES

### 45. APPLICATION OF PART

This Part applies where the Association is registered under or is exempted from registration by or under the *Charitable Collections Act, 1934*.

### 46. PAYMENT ETC. OF OFFICE-BEARERS AND MEMBERS

- 46.1 A Member of the Committee shall not be appointed to any salaried office of the Association, and no remuneration or other benefit in money or money's worth shall be given by the Association to any member of the Committee except:
  - 46.1.1 repayment of out-of-pocket expenses;
  - 46.1.2 interest at a rate not exceeding interest at the rate for the time being which is or would be charged by the Association's bankers for money lent to the Association
  - 46.1.3 reasonable and proper rent for premises let to the Association;
  - 46.1.4 work provided externally; and
  - 46.1.5 where any person is so appointed to a salaried office of the Association such person shall absent him or herself from any and all meetings where the terms, including remuneration, of that appointment are to be discussed.

### 47. NOTIFICATION OF PROPOSED ALTERATION OF RULES

A proposed alteration of the rules or of the statement of objects of the Association shall be notified to the Minister of the NSW State Government administering the *Charitable Collections Act, 1934*, in the manner required by the regulations under that Act.

### 48. COMPLIANCE WITH CHARITABLE COLLECTIONS ACT, 1934

The Association shall comply with such of the provisions of the *Charitable Collections Act, 1934*, and the regulations therewith as are applicable to it.

### 49. FINANCIAL YEAR

The financial year shall conclude on December 31.

### 50. AUTHORISATION OF ACCOUNTS

All accounts shall be presented to the Treasurer authorised as per section 38.2.



## 51. AUDIT

The Auditor or Auditors shall be elected at the Annual General Meeting. They shall examine all accounts, vouchers, receipts, books, etc. and furnish a report within a reasonable period. Audits shall be conducted at regular intervals of not more than 12 months. An Auditor shall not be a member or closely related to the Member of the Management Committee.

## 52. MINUTES

The Management Committee shall cause minutes to be made:

- 52.1 of all appointments of Office Bearers and Members of the Committee;
- 52.2 of the names of Members of the Committee President and all present at all Meetings with the organization and of the Committee;
- 52.3 of all proceedings at all Meetings with the organization of the Association and the Committee, such minutes shall be signed by the Chairman of the Meeting at which the proceedings were held by the Chairman of the next succeeding Meeting.