

6th October 2004

RULES

1. **NAME**

- 1.1 The name of the incorporated association shall be Sunshine Coast Water Polo Inc (in these rules called "the Association" or "SCWP")

2. **DEFINITIONS**

'Association' means Sunshine Coast Water Polo Incorporated

“SCWP” means Sunshine Coast Water Polo Incorporated

“QWPI” means Queensland Water Polo Incorporated

'AWPI' means Australian Water Polo Incorporated.

"breach of discipline" means a failure to comply with these rules, related by-laws or other regulations governing the sport of Water Polo

"member" means the holder of any class of membership as defined by these rules.

"misconduct " means conduct by a member of any class considered to be injurious or prejudicial to the character or interests of the Association or the sport of Water Polo

"participant" includes player, official or volunteer in any sanctioned Water Polo competition.

'The Act' means the Association Incorporation Act of Queensland.

Words in the plural number shall include the singular and vice versa.

Words in the masculine gender shall include the feminine and vice versa.

3. **OBJECTS**

- 3.1 The objects of the Association shall be :-

3.1.1 to affiliate with Queensland and Australian Water Polo Incorporated;

3.1.2 to promote and encourage the game of water polo, provide and maintain playing areas and accommodation of games and social functions, to provide amenities for members and the encouragement of good fellowship amongst it's members.

4. **POWERS**

- 4.1 Subject to the Constitution, the Association shall have full power, jurisdiction and authority to do all things necessary to carry out the business, the affairs and objects of the Association, which include, but are not limited to the following:
 - 4.1.1 to ensure conformity of rules for the control and regulation of water polo and the management of water polo competitions, within the Sunshine Coast Region, in accordance with the FINA Rules of water polo;
 - 4.1.2 to adjudicate on all matters of dispute referred by members, or upon the Association's initiative, affecting member associations, clubs or individual members;
 - 4.1.3 to stimulate public opinion in favour of providing proper accommodation and facilities for participation in water polo;
 - 4.1.4 to control and manage Sunshine Coast representatives in Championships and other competitions, subject to the authority of QWPI and or AWPI;
 - 4.1.5 To supervise and sanction all forms of Water Polo competition within the Sunshine Coast;
 - 4.1.6 to control and manage competitions held within the Sunshine Coast, subject to, and in conjunction with QWPI and AWPI;
 - 4.1.7 to buy, sell and deal in all kinds of articles commodities and provisions, both liquid and solid, in furtherance of the objects of the Association;
 - 4.1.8 to appoint, employ, remove or dismiss such staff upon a contract of employment, or tradesman upon a contract of service, upon such terms as may be necessary or convenient to achieve the purposes and objects of the Association;
 - 4.1.9 to invest and deal with the money of the Association not immediately required in such manner as may be permitted by law for the investment of trust funds;
 - 4.1.10 to print and publish any newspapers, periodicals, books and leaflets that the Association may consider desirable for the promotion of its objects;
 - 4.1.11 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.

5. **CLASSES OF MEMBERS**

5.1 Membership of QWPI shall consist of:

5.1.1 Member clubs

5.1.2 Member associations

5.1.3 Life members

5.1.4 Registered members

5.2 The number of members in each class of membership shall be unlimited.

5.3 A member club is a water polo club affiliated with the member association and which has been granted the right of membership with SCWP conditional upon the registration of its constituent members in accordance with the constitution and by-laws of the Association and QWPI.

5.4 A member association is a district association of registered members and/or member clubs which has been granted the right of membership with SCWP conditional upon the registration of its constituent members in accordance with the constitution and by-laws of the Association and QWPI.

5.5 Life membership may be conferred on any person who is a registered member of a member club or member association and has rendered conspicuous and meritorious service to SCWP subject to the following conditions:

5.5.1 Life membership may only be conferred at an annual general meeting;

5.5.2 Only one life membership may be conferred in any one year;

5.5.3 All nominations for life membership shall be in writing giving the qualifications of the nominee and signed by the proposer and a seconder;

5.5.4 All nominations for life membership shall be received by the Association at least 21 clear days prior to the Annual General Meeting;

5.5.5 Where there are two or more eligible nominees, an exhaustive ballot shall be held eliminating at each stage the nominee with the least number of votes until one nominee remains. A ballot shall then take place;

5.5.6 A nominee shall be conferred with life membership if a resolution to confer life membership on him/her is carried by not less than a three quarter majority of votes able to be cast by the members eligible to vote at such Annual General Meeting;

5.5.7 Life members do not possess voting rights by virtue of such position upon any resolution to be considered at any meetings of QWPI but shall have the right to be heard on any such resolution prior to determination;

- 5.6 A registered member shall mean and include:
- (a) any individual of a member club or member association and who is registered by that member club or member association with SCWP.
 - (b) any participant in an officially sanctioned Water Polo competition and who is directly registered with SCWP.
- 5.6.1 Registered members shall have no voting rights, no right of speech at any meetings of SCWP, nor shall be entitled to receive any notices from SCWP.
- 5.6.2 Any member shall cease to remain a registered member at any time by resigning from or failing to continue membership with his/her member club, member association or SCWP.
- 5.7 Every person who at the date of incorporation of the Association was a member of the unincorporated Association and who on or before a date fixed by the management committee for the purpose agrees in writing to become a member of the association shall be admitted by the management committee to the same class of membership of the Association as that member held in the unincorporated Association.
- 5.8 Every member of the Association who previously to agreeing to become a member of the Association has paid the member's subscription on or before the date fixed by the management committee for the purpose, as a member of the unincorporated Association, shall not be liable to pay any further sum by way of annual subscription to the Association for the period before the date fixed by the management committee as the date the next annual subscription becomes due.

6. **MEMBERSHIP AND AFFILIATION FEES**

- 6.1 The membership and affiliation fees for each class of membership shall be such sums as the delegates representing such member clubs and member associations holding voting rights in accordance with this Constitution shall at the annual general meeting so determine.
- 6.2 The outgoing management committee shall present recommendations and proposals to the annual general meeting to enable a determination of membership and affiliation fees.
- 6.3 The membership fees shall be payable at such time and in such manner as the management committee shall from time to time determine.

7. **ADMISSION AND REJECTION OF APPLICATION FOR MEMBERSHIP BY CLUB OR ASSOCIATION**

- 7.1 Every applicant for membership as a member club or member association shall be proposed by any one member club or member association and seconded by another such member.

- 7.2 The application for membership as a member club or member association shall be made in writing, signed by the applicant and the applicant's proposer and seconder and shall be in such form as the management committee from time to time prescribes.
- 7.3 At the next meeting of the SCWP in general meeting any new application for membership by a club or association, together with any fees applicable, shall be considered by the general meeting who shall thereupon determine upon the admission or rejection of the applicant.
- 7.4 Any applicant who receives a majority of the votes of the delegates of member clubs and member associations present at the general meeting shall be accepted as a member club or member association.
- 7.5 Upon the acceptance or rejection of an application for membership as a member club or member association, the secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

8. **TERMINATION OF MEMBERSHIP AND DISCIPLINARY ACTION**

- 8.1 A member of any class may resign such membership of SCWP at any time by giving notice in writing to the secretary.
- 8.2 Such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice. In such circumstances, the later date shall be the operative date for termination of membership.
- 8.3 If a member of any class is determined by a judiciary properly convened and conducted in accordance with these rules and related by-laws:-

(a) to have committed a breach of discipline; or

(b) to be guilty of misconduct,

The management committee shall consider whether one or more of the following penalties should be imposed:

(i) termination of membership;

(ii) suspension of membership;

(iii) suspension or disqualification from participation in competition in any capacity considered appropriate;

(iv) loss of any competition points as considered appropriate.

- 8.4 A member of any class shall not be penalised in accordance with section 8.3 unless and until the member has been given a full and fair opportunity of presenting a case in accordance with the procedures prescribed by any related by-laws and with due consideration of the principles of natural justice.

- 8.5 If a member club or member association has membership or affiliation fees in arrears for more than two months, the management committee shall consider whether such membership shall be terminated.
- 8.6 Should the management committee resolve by a majority vote to terminate the membership of any class of member or otherwise impose a disciplinary penalty pursuant to sections 8.3 or 8.4, it shall instruct the secretary to advise the member in writing.

9. **APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

- 9.1 A person, club or association whose application for membership has been rejected or whose membership has been terminated may within 30 clear days of receiving written notice thereof, lodge with the secretary written notice of intention to appeal against the decision of the management committee.
- 9.2 Upon receipt of a notification of intention to appeal against rejection or termination of membership, the secretary shall convene within three months of the date of receipt by him of such notice, a general meeting to determine the appeal. At any such meeting, the applicant shall be given the opportunity to fully present his case and the management committee or those members thereof who rejected the application for membership or terminated the membership shall likewise have the opportunity of presenting its or their case. The appeal shall be determined by a majority vote of the member clubs and member associations present at such meeting.
- 9.3 Any registered member, member club or member association aggrieved by a decision of the Association in general meeting exercising its appellate jurisdiction may lodge an appeal to QWPI in accordance with the procedures and within the time constraints prescribed by the Constitution of QWPI.
- 9.4 Any appellant from a decision to terminate or suspend membership of a registered member, member club or member association shall retain the status and benefits of membership until the determination of any appeal proceedings and with due consideration of the principles of natural justice.
- 9.5 Where a person, club or association whose application is rejected does not appeal against the decision of the management committee within the time prescribed by these rules or so appeals but the appeal is unsuccessful, the secretary shall forthwith refund the amount of any fees paid.

10. **REGISTER OF MEMBERS**

- 10.1 The management Committee shall cause a register to be kept in which shall be entered the names and residential address of all persons admitted to membership of the Association and the date of their admission.
- 10.2 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.

10.3 The Register shall be open for inspection at all reasonable time by any member who previously applies to the Secretary for such inspection.

11. **MEMBERSHIP OF MANAGEMENT COMMITTEE**

11.1 The affairs of the Association shall, subject to section 11.2 be managed and controlled by a management committee all of whom shall be registered members of the Association and consisting of:-

11.1.1 a President (who shall also be the Chairman of Committees);

11.1.2 a Vice President

11.1.3 a Secretary;

11.1.4 a Treasurer;

11.1.5 a Registrar

11.1.6 a Senior Competition Representative

11.1.7 a Junior Competition Representative

11.1.8 a Schools Representative

11.1.9 a Referees Coordinator

11.1.10 a Promotions Officer

11.2 If insufficient members are elected to the management committee or if having been nominated, accept nomination, then the Management Committee of the Association shall consist of a President, Secretary, Treasurer and such members (being less than seven in number) as have been elected or having been nominated, accept nomination as members of the Management Committee

11.3 Upon the resignation or termination of all members of the Management Committee, at the 2004 Annual General Meeting, there after the Members shall elect at least one half of the Management Committee for a tenure of 2 years with the remaining positions for a tenure of one year. Those positions of 1 year tenure shall be voted upon at the expiry of their tenure and afterwards all positions shall have two year tenures.

11.3.1 The position of President shall hold a tenure of 2 years.

11.4 The election of officers of the Management Committee shall take place in the following manner:-

11.4.1 Any two registered members of the Association shall be at liberty to nominate any other registered member to serve as an officer or other member of the Management Committee.

- 11.4.2 The nomination, which shall be in writing and signed by the member and his proposer and seconder, shall be lodged with the Secretary at least fourteen clear days before the Annual General Meeting at which the election is to take place.
- 11.4.3 A list of the candidates' names in alphabetical order, with the proposer's and seconder's names, shall be posted in a conspicuous place in the office or usual place of meeting of the Association for at least seven clear days preceding the Annual General Meeting.
- 11.4.4 Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member club or member association entitled to vote in accordance with these rules, shall vote for any number of such candidates without exceeding the number of votes allocated to such member club or member association as provided by these rules.
- 11.4.5 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.
- 11.5 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 when it shall take effect on that later date. Any Member of the Management Committee may be removed from office at a General Meeting of the Association by a three quarter majority vote by the member clubs and associations present at said meeting, where that member shall be given the opportunity to fully present his case.
- 11.6 There is no right of appeal against a member's removal from office under section 11.5.

12. **VACANCIES ON MANAGEMENT COMMITTEE**

- 12.1 The Management Committee shall call for nominations and shall have power at any time to appoint any registered member of the association to fill any casual vacancy on the Management Committee until the next Annual General Meeting.
- 12.2 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.

13. **FUNCTIONS OF THE MANAGEMENT COMMITTEE**

- 13.1 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:-

- 13.1.1 shall have the general control and management of the administration of the affairs, property, and funds of the association; and
- 13.1.2 shall have authority to interpret the meaning of these rules and any matter relating to the Association on which these rules are silent.
- 13.2 The Management Committee may exercise all the powers of the Association:-
- 13.2.1 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; and
- 13.2.2 to borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Brisbane for overdrawn accounts or money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities whether outright or as for any debt, liability or obligation of the Association, and to provide and pay off such securities; and
- 13.2.3 to invest in such manner as the members of the Association may from time to time determine.
- 13.3 The Management Committee shall select the coach and/or coaches and manager and/or managers for all state representative teams and decide the terms and conditions for all such appointments.

14. **MEETINGS OF MANAGEMENT COMMITTEE**

- 14.1 The Management Committee shall meet at least once every four calendar months to exercise its functions.
- 14.2 A special meeting of the Management Committee shall be convened by the Secretary on the requisition in writing signed by not less than 33% of the members 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.
- 14.3 At every meeting of the Management Committee a quorum shall be constituted by one half of the elected members plus one.
- 14.4 Subject as previously provided to this rule, the Management Committee may meet together and regulate its proceedings as it thinks fit; provided that 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.

- 14.5 Voting by Management Committee in respect to contracts and appointments shall be in accordance with;
- 14.5.1 A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Association in which he is interested, or any matter arising thereout, and if he does so vote his vote shall not be counted.
- 14.5.2 Where the Management Committee advertises for expressions of interest for volunteer positions or paid employee positions and where a conflict of interest may occur on the Management Committee then that Member shall abstain themselves from any involvement in the selection and appointment process due to a conflict of interest and that this abstention shall be recorded in the minutes of the meeting.
- 14.6 Not less than seven days notice shall be given by the Secretary to members of the Management Committee of any special meeting of the Management Committee. Such notice shall clearly state the nature of the business to be discussed thereat.
- 14.7 The President shall preside as Chairman at every meeting of the Management Committee, or if there is no President, or if at any meeting he is not present within ten minutes after the time appointed for holding the meeting, the Vice President shall be Chairman or if the Vice President is not present at the meeting then the members present may choose one of their number to be Chairman of the meeting.
- 14.8 If within fifteen minutes from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, shall lapse. 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 fifteen minutes from the time appointed for the meeting shall lapse.
- 14.9 The Chairman at every meeting of the Management Committee shall with the sanction of the meeting have power to admit visitors to or exclude visitors from the meeting but no visitor shall have the right to vote, however, a visitor may with the consent of the Chairman address the meeting.

15 **DELEGATION OF POWERS OF MANAGEMENT COMMITTEE**

- 15.1 The Management Committee may delegate any of its powers to a sub-committee consisting of such members of the Association as the Management Committee thinks fit. Any sub-committee 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. The President shall be an ex officio member of all sub-committees of the Association and shall act as Chairman of meetings of sub-committees.
- 15.2 Subject to 15.1 hereof, a sub-committee may elect a Chairman of its meetings. If no such Chairman or if any meeting the Chairman is not present within fifteen minutes after the time appointed for holding a meeting, the members present may choose one of their number to be Chairman of the meeting.

15.3 A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the votes of the members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.

16. **ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATION**

16.1 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.

17. **RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING**

17.1 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.

17.2 Any such resolution may consist of several documents in like form, each signed by one or more members of the Management Committee.

18. **FIRST GENERAL MEETING**

18.1 The first general meeting shall be held at such time, not being less than one month nor more than three months, after the incorporation of the Association and at such place as the Management Committee may determine.

19. **ANNUAL GENERAL MEETING**

19.1 The annual general meeting of the Association shall be held within six months of the close of business of the financial year.

19.2 The business to be transacted at every annual general meeting shall be:-

19.2.1 the receiving of the Management Committee's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Association for the preceding financial year.

19.2.2 the receiving of the auditor's report upon the books and accounts for the preceding financial year

19.2.3 the determination of the amount of the membership and affiliation fees for the forthcoming year

19.2.4 the election of members of the Management Committee

19.2.5 the appointment of an auditor

19.2.6 notices of motion in accordance with section 21.2 of this Constitution.

20. **SPECIAL GENERAL MEETING**

20.1 The Secretary shall convene a special general meeting by sending out notice of the meeting within 14 days of:-

20.1.1 being directed to do so by the Management Committee; or

20.1.2 being given a requisition in writing signed by not less than the number of registered members of the Association which equals double the number of members presently on the Management Committee plus one; or

20.1.3 being given a notice in writing of an intention to appeal the decision of the management committee to reject an application for membership or to terminate the membership of any member.

20.2 A requisition mentioned in subsection 20.1.2 shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat.

21. **GENERAL MEETING**

21.1 The Association shall convene two general meetings, the first of which shall immediately follow the Annual General Meeting.

21.2 A general meeting shall consider any notice of motion received by the Association not less than 21 days prior to date of the general meeting.

21.3 At each General Meeting each member of the Management Committee shall provide a report covering their area of responsibility.

22. **QUORUM AT GENERAL MEETING**

22.1 At any general meeting (including any annual general meeting) the number of delegates required to constitute a quorum shall be double the number of members of the Association presently on the Management Committee plus 1.

- 22.2 A member club or member association shall not be represented by more than one delegate notwithstanding the number of votes entitled to be cast by that member club or member association.
- 22.3 No business shall be transacted at any general meeting unless a quorum is present at the time when the meeting proceeds to business.
- 22.4 For the purpose of this rule :-
"delegate" means a person attending as a proxy or as representing any member club or member association.
- 22.5 If within fifteen minutes from the time appointed for the commencement of a 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.
- 22.6 In any 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 fifteen minutes from the time appointed for the meeting the members present shall constitute a quorum.
- 22.7 The Chairman 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.
- 22.8 When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.
- 22.9 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.

23. **NOTICE OF GENERAL MEETING**

- 23.1 The secretary shall convene all general meetings of the association by giving not less than twenty one clear days notice of any such meeting to the members of the Association.
- 23.2 The manner by which such notice shall be given shall be determined by the management committee.
- 23.3 Provided that notice of any meeting convened for the purpose of hearing and determining the appeal of a member against rejection or termination of his membership by the management committee shall be given in writing.
- 23.4 Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

24. **PROCEDURE AT ANNUAL, SPECIAL and GENERAL MEETING**

- 24.1 Unless otherwise provided by these rules, at every general meeting -
 - 24.1.1 the president shall preside as chairman, or if there is no president, or if the president is not present within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the finance officer shall be the chairman or if the finance officer is not present or is unwilling to act then the members present shall elect one of their number to be chairman of the meeting; and
 - 24.1.2 the chairman shall maintain order and conduct the meeting in a proper and orderly manner; and
 - 24.1.3 every question, matter or resolution shall be decided by a majority of votes of the delegates present; and
 - 24.1.4 every member club and member association shall be entitled to cast a number of votes equivalent to the number of its junior and senior members then registered with SCWP in accordance with the following weighting table :-

No. of registered members Votes

15 or less	0
16 - 25	1
26 - 49	2
50 - 99	3
above 100	4

- 24.1.5 for the purposes of determining the number of registered members within a member club or member association no consideration shall be made for any member directly registered with SCWP; and
- 24.1.6 for the purposes of determining the number of registered members within a member association no consideration shall be made for any registered members of a member club directly affiliated with SCWP; and
- 24.1.7 in the case of an equality of votes the motion shall not be passed; and
- 24.1.8 however, no member club or member association shall be entitled to vote at any general meeting if the member's annual affiliation fees are more than one month in arrears at the date of the meeting; and
- 24.1.9 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

- 24.1.10 the chairman shall appoint 2 members to conduct the secret ballot in such manner as the chairman shall determine and the result of the ballot as declared by the chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded; and
- 24.1.11 the instrument appointing a proxy shall be in writing, in common or usual form under the hand of the appointor or of the appointor's attorney duly authorised in writing; and
- 24.1.12 a proxy needs to be a registered member of the Association; and
- 24.1.13 the instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot; and
- 24.1.14 where it is desired to afford members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in such form as the management committee so directs; and
- 24.1.15 the instrument appointing a proxy shall be deposited with the secretary prior to the commencement of any meeting or adjourned meeting at which the member named in the instrument proposes to vote; and
- 24.1.16 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 registered member who previously applies to the secretary for that inspection.
- 24.2 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 chairman of that meeting or the chairman of the next succeeding management committee meeting verifying their accuracy.
- 24.3 Similarly, the minutes of every general meeting shall be signed by the chairman of that meeting or the chairman of the next succeeding general meeting.
- 24.4 However, the minutes of any annual general meeting shall be signed by the chairman of that meeting or the chairman of the next succeeding general meeting or annual general meeting.
- 25 **BY-LAWS**
- 25.1 The management committee may from time to time make, amend, 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.

26. ALTERATION OF RULES

- 26.1 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.
- 26.2 However, an amendment, rescission or addition is valid only if it is registered by the Chief Executive Officer administering the Act.

27. COMMON SEAL

- 27.1 The management committee shall provide for a common seal and for its safe custody.
- 27.2 The common seal shall only be used by the authority of the management committee and every instrument to which the seal is affixed shall be signed by a member of the management committee and shall be countersigned by the secretary or by a second member of the management committee or by some other person appointed by the management committee for the purpose.

28. FUNDS AND ACCOUNTS

- 28.1 The funds of the association must be kept in the name of the Association in a financial institution decided by the management committee.
- 28.2 Proper books and accounts shall be kept and maintained either in writing 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.
- 28.3 All moneys shall be deposited as soon as practicable after receipt thereof.
- 28.4 All amounts of \$300 or over shall be paid by cheque or electronic transfer signed/authorised by any 2 of the president, secretary, finance officer or other member authorised from time to time by the management committee.
- 28.5 Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash re-couplements which may be open.
- 28.6 The management committee shall determine the amount of petty cash which shall be kept on the imprest system.
- 28.7 The quarterly financial statements presented by the Treasurer must be ratified by the Management Committee at the next meeting or no later than the following Management Committee meeting.
- 28.8 As soon as practicable after the end of each financial year the finance officer shall cause to be prepared a statement containing the particulars of :-
- 28.8.1 the income and expenditure for the financial year just ended; and

28.8.2 the assets and liabilities and of all mortgages, charges and securities affecting the property of the association at the close of that year.

28.9 The auditor must examine the statement prepared under subsection 28.8 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.

28.10 The income and property of the association must be used solely in promoting the Association's objects and exercising the Association's powers.

29. **DOCUMENTS**

29.1 The management committee shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

30. **FINANCIAL YEAR**

30.1 The financial year of the Association shall close on the thirtieth day of June in each year.

31. **DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY**

31.1 If the Association is wound-up under Part 10 of the Act and there are surplus assets, the surplus assets shall not be distributed among the members but shall be given to another entity -

31.1.1 that has objects similar to the Association's objects; and

31.1.2 the rules of which prohibit the distribution of the entity's income and assets to its members.

31.2 In this section:-

"surplus assets" has the meaning given by section 92(3) of the Act.