



Bundaberg Legacy Inc

Rules

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Date..... 27 April 2023

Signed.....

Name..... Len Gordon

President

Judith Theresa Sheeran

J. Sheeran

27th April 2023

Version History

"LEGACY CLUB OF BUNDABERG" and the "LEGACY FUND OF BUNDABERG"

formed in 1948

Bundaberg Legacy Inc established 5/4/1989

Date	Description of change	Version
26/3/1996	Bundaberg Legacy was incorporated with OFT Queensland CH1054 / IA05513	1
8/12/1997	Rules amended	2
6/6/2000	Rules amended	3
1/2/2011	Rules amended	4
1/9/2015	Rules amended	5
5/7/2016	Rules amended	6
1/12/2019	Changes to Bundaberg Legacy rules passed at a general meeting 1/12/2019 include adding Clause 4 (xi); amending Clause 6; adding responsibilities of the President and Treasurer to the rules; amending Secretary's responsibilities; amending Clause 28 (i); Amending Rule 34 (iv); Rule 38; and ensuring the index reflects the contents of the rules.	7
	Inserted signature block	8
	Inserted method of promulgating membership nomination	8
	Inserted method of notifying successful or unsuccessful prospective member	8
	Inserted new section covering returning members	8
	Inserted new section 'Types of Membership. Subsequent paragraphs renumbered to reflect the insertion.	8
	Inserted membership currency clause	8
	Updated details of the register for Members section to cover what information is included and how it can be inspected to maintain privacy	8
	Inserted minimum two-year term for management committee	8
	Inserted clause for possible management committee January	8

meetings	
Clarified financial year 'January to December' in 'Annual General Meeting' section	8
Updated Association Incorporation ACT year from 1981 to 1999	8
Renumbered paragraphs to reflect changes and to standardise	8
Inserted version number at the bottom of each page	8
Inserted paragraph outlining 'Conflict of Interest'.	8

Signature:

Name: Len Gordon

Role: President

Date: 27 April 2023

Signature:



Name: Rudy Valzan

Role: Secretary

Date: 27/4/2023

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RULES OF BUNDABERG LEGACY INC.

1 NAME

- (i.) The name of the incorporated association shall be BUNDABERG LEGACY INC. (in these Rules called "the Association").

2 OBJECTS

- (i.) The objects for which the Association is established are:
- a. To render aid, assistance and benefits to widows and children of deceased ex-servicemen and other eligible beneficiaries, as defined by the Code of Legacy.
 - b. To raise funds for the purpose of affording such aid, assistance, and benefits.
 - c. To provide for the accommodation of aged widows.

3 DEFINITIONS

- (i.) All terms set forth in these Rules shall be defined in accordance with the definitions given to them by the Code of Legacy.
- (ii.) All reference to masculine gender shall include feminine gender.

4 POWERS

- (i.) The powers of the Association are:
- a. To take over the funds and other assets and the liabilities of the present unincorporated associations known as the **"LEGACY CLUB OF BUNDABERG"** and the **"LEGACY FUND OF BUNDABERG"**.
 - b. To take any gift of property, whether subject to any special trust or not, for any one or more of the objects of the Association.
 - c. To give any guarantee or indemnity that may seem expedient.
 - d. Subject to the provisions of the Collections Act 1966-1988 or other relevant

statutory enactment, to purchase, take on lease, or otherwise acquire any real or personal property:

- e. Subject to the provisions of the Collections Act 1966-1988 or other relevant statutory enactment, to sell, manage, lease, mortgage, dispose of or otherwise deal with all or any part of the property of the Association, and should any such property be subject to any trusts the Association shall deal with the same only in such manner as is allowed by law having regard to such trusts.
- f. Subject to the provisions of the Collections Act 1966-1988 or other relevant statutory enactment, to borrow and raise money for the objects of the Association in such manner as the Management Committee thinks fit.
- g. To lend or invest any moneys of the Association, not immediately required for any of its objects, in such manner as may from time to time be determined, and to vary the same, subject to Section 21 of the Trusts Act 1973-1986.
- h. To receive from any other Association formed under the Charter of Legacy, any sum of money for any purpose consistent with the objects of the Association.
- i. To contribute or grant to the Funds of any other Association formed under the Charter of Legacy, such sums of money as the Management Committee shall from time to time think fit.
- j. 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, and 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.

- k. Any contracts required under clause 4 (iv) to Clause 4 (x) must be signed by the President and either the Secretary, Treasurer or any other authorised signatory and be accompanied by the Common Seal as outlined in Clause 33 of this Constitution.
- l. To appoint, employ, remove or suspend such administrators, clerks, secretaries, employees and other persons as may be necessary or convenient for the purposes of the Association.
- m. To remunerate any person or body corporate for services rendered or to be rendered in or about the promotion of the Association or in the furtherance of its objects.
- n. 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 of procuring contributions to the Legacy Fund Account of the Association, in the form of donations, annual subscriptions or otherwise.
- o. To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects.
- p. To make donations for patriotic, charitable or community purposes.
- q. 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

- (i.) Membership of the Association shall consist of ordinary members, inclusive of Reserve Members as defined in Sub-Clause (iii).
- (ii.) The number of ordinary members shall be unlimited.
- (iii.) The Association, at any general meeting, may elect as a Reserve Member, any

member who in the opinion of the meeting has rendered such service to Legacy as to merit such privilege. Reserve Members shall enjoy such rights and may participate in such activities as the Management Committee may from time to time decide. No member shall be eligible for transfer to the Reserve List unless he has served Legacy actively for a period of not less than fifteen (15) years.

6 MEMBERSHIP

- (i.) Membership of the Association shall be restricted to persons who are qualified for membership in accordance with The Code of Legacy.
- (ii.) Every person who at the date of incorporation of the Association was a member of the unincorporated associations and who on or before the day of incorporation, 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 associations, and shall not be required to pay any further subscription until the next due date for payment of that subscription.
- (iii.) A member of another Association or Club operating under the Code of Legacy who has changed his place of permanent residence to a place where his continued service as a member of Legacy would appropriately be with the Association, may have his membership transferred to the Association provided that:
 - a. The Association or Club to which he belonged forwards to this Association a notification of his change of residence together with full particulars of his Legacy Service and supports his application for transfer; and
 - b. The member advises this Association in writing of his change of residence within a period of three (3) months from the date of his change of residence, or such longer period as the Management Committee permits, of his desire to

transfer. The membership fees of a member who has so transferred shall be deemed to have been paid to the end of the financial year.

- (iv.) The nomination of the proposed member shall be by a proposer and seconder and shall be in the approved proposal form addressed to the President and promulgated via the Legacy House Notice Board, Bundaberg Legacy Webpage or at a General Meeting to all members before the next scheduled General Meeting following the receipt of the membership application.
- (v.) Objection to nomination must be lodged with the Management Committee within 7 days after publication of the nomination.
- (vi.) The Management Committee shall consider such objections at the next management committee meeting or at a special management committee meeting held for that purpose. The objector may attend the management committee meeting if they so desire.
- (vii.) The management committee must consider an application for membership at the next committee meeting held after it receives the application for membership.
- (viii.) The management committee must ensure that, as soon as possible after the person applies to become a member of the association, and before the management committee considers the persons application, the person 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.
- (ix.) The management committee must decide at the meeting whether to accept or reject the application.
- (x.) If a majority of the members of the management committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member.

- (xi.) The secretary of the association must, as soon as practicable after the management committee decide to accept or reject an application, give the applicant a written notice of the decision either via email or via hard copy.

7 RETURNING MEMBERS

- (i.) A person who requests to return to Legacy after they had either resigned, was non-financial or membership was terminated will have their request submitted through the standard procedures as per section 6.

8 TYPES OF MEMBERSHIP

- (i.) The following describes the type of Legatee memberships and any considerations to their membership types.

Legatee	A financial member of Bundaberg Legacy who is entitled to vote at the General Meeting and AGM and has nomination rights.
Inactive Legatee	A non-financial member of Bundaberg Legacy with no entitlement to vote at the General Meeting and AGM and no nomination rights.
Associate Legatee	A current serving ADF. A non-financial member of Bundaberg Legacy with no entitlement to vote at the AGM and no nomination rights.
Lifetime member	A financial member (\$1) of Bundaberg Legacy who is entitled to vote at the General Meeting and AGM and no nomination rights.

Someone who has previously provided outstanding service and has become inactive. These memberships will be reviewed and approved on a case-by-case basis by the Management Committee.

Friend of Legacy

A financial member of Bundaberg Legacy who is entitled to vote at the General Meeting and AGM and has nomination rights.

It is intended that such an individual could:

Be an ambassador for Bundaberg Legacy.

Provide support to Bundaberg Legacy and attend Bundaberg Legacy events when circumstances permit.

Partners

A non-financial member of Bundaberg Legacy with no entitlement to vote at the General Meeting and AGM and no nomination rights.

A Partner of Bundaberg Legacy is a sponsor and who shares the values of Legacy.

9 CONFLICT OF INTEREST

- (i.) Any Legatee that identifies a conflict of interest must inform the management committee and/or the general meeting at the first available opportunity. A Legatee cannot vote on a matter or authorise payment where they are a direct or indirect beneficiary.

10 MEMBERSHIP FEES

- (i.) The membership fee shall be such sum as the members shall from time to time at any general meeting so determine and shall be payable at such time and in such manner as the Management Committee shall from time to time determine.
 - a. The membership fees shall be banked to the credit of an account styled "Members Club Account" in the name of the Association.
- (ii.) The Management Committee may from time to time impose levies to provide funds for the social activities of members within the Association, such activities being exclusive of the performance of the objects of the Association. The amounts of levies shall be banked to the credit of the Members Club Account.

11 MEMBERSHIP CURRENCY

- (ii.) To remain current and able to perform the duties of a Legatee, a Legatee must be financial and have a current Blue Card and police check. It is the responsibility of each Legatee to remain current.

12 TERMINATION OF MEMBERSHIP

- (i.) A member may resign from the Association at any time by giving notice in writing to the secretary. 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.
- (ii.) 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. has membership fees in arrears for a period of two (2) months or more; or

- d. conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Association; the Management Committee shall consider whether his membership shall be terminated.
- (iii) The member concerned shall be given a full and fair opportunity of presenting his case and if the Management Committee resolves to terminate his membership it shall instruct the secretary to advise the member in writing accordingly.

13 APPEAL AGAINST TERMINATION OF MEMBERSHIP

- (i.) A person whose membership has been terminated may within one (1) month of receiving written notification thereof, lodge with the secretary written notice of his intention to appeal against the decision of the Management Committee.
- (ii.) Upon receipt of a notification of intention to appeal against termination of membership the secretary shall convene, within three (3) 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 terminated the membership shall likewise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of the members present at such meeting.

14 REGISTER OF MEMBERS

- (i) The Management Committee shall cause a Register to be kept in which shall be entered the full names, contact details (phone and email), residential address and postal addresses of all persons admitted to membership of the Association, and the dates of their admission.
- (ii) Particulars of members shall also be entered into the Register of deaths, resignations,

terminations and reinstatements of membership and such further particulars as the Management Committee or the members at any general meeting may require from time to time.

- (iii) A printed version of the Register shall be open for inspection at all reasonable times by any member who previously applies to the secretary for such inspection.

15 APPOINTMENT OR ELECTION OF SECRETARY

- (i.) The Secretary must be:
 - (a) an individual.
 - (b) over 18 years of age; and
 - (c) a resident in Queensland, or in another State but not more than 65km from the Queensland border.
- (ii.) The Management Committee may appoint a person as Secretary.
- (iii.) If a vacancy occurs in the office of Secretary, the Management Committee must appoint a Secretary within 1 month after the vacancy occurs.
- (iv.) A person appointed as Secretary does not become a committee member unless that person is also otherwise appointed as a committee member under this Constitution.

16 RESIGNATION, REMOVAL OR VACATION OF OFFICE OF SECRETARY

- (i.) The Secretary may resign as Secretary by written notice to the President or if there is no President, to the Management committee.
- (ii.) The resignation takes effect at:
 - a. the time the notice is received by the President, or if there is no President, when the notice is received by the Management committee; or

- b. if a later time is stated in the notice, the later time.
- (iii.) The Management committee may at any time remove a person appointed as Secretary. If the Management committee removes a person appointed as Secretary who is also a committee member, that person remains a committee member unless also otherwise removed as a committee member under this Constitution.
- (iv.) The office of Secretary is automatically vacated in the circumstances set out in section 69(2) of the Act.

17 RESPONSIBILITIES OF THE PRESIDENT

- (i.) Prepares Reports for Annual Report and monthly bulletin.
- (ii.) Chairperson at Annual, Monthly, and Management Meetings.
- (iii.) Representative for Bundaberg Legacy Inc at all Social invitations, to which they are specifically invited.
- (iv.) Attend State/National conference of Legacy.
- (v.) Network in the community to promote Bundaberg Legacy Inc.

18 SECRETARY'S FUNCTIONS

- (i.) The Secretary's functions include, but are not limited to:
 - a. calling Management Committee and General Meetings, including preparing notices of meeting and of the business to be conducted at the meeting in consultation with the President;
 - b. keeping minutes of each Management Committee and General Meeting;
 - c. keeping copies of all correspondence and other documents relating to the Association; and
 - d. maintaining the Register of Members.

- e. Prepares and submits statistical information as required.

19 RESPONSIBILITIES OF THE TREASURER

- (i) Oversee all account books for Bundaberg Legacy Inc.
- (ii) Collects Members Annual subscriptions and any charges for social functions.
- (iii) Keeps particulars of Loans to Widows.
- (iv) Draws cheques for payment of accounts, loans etc - two signatures required on each cheque. Generally, keeps a check on all Legacy finances.

20 MANAGEMENT COMMITTEE -MEMBERSHIP

- (i.) The Management Committee of the Association shall consist of a President, Senior Vice-President, Secretary (If Unpaid), Treasurer, all of whom shall be members of the Association and such number of other members as the members of the Association at any general meeting may from time to time elect or appoint.
- (ii.) At the annual general meeting of the Association all the members of the Management Committee (Except the Secretary if Paid) for the time being shall retire from office but shall be eligible upon nomination for re-election.
- (iii.) 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 his 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 the 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.
- (iv.) The tenure for each Management Committee member shall be two years from the date of the Annual General Meeting at which they were elected. This does not take into account a Legatee's time filling a casual vacancy. Two years will allow sufficient time for a Legatee to learn and undertake the respective role. This will take effect at the 2024 Annual General Meeting.

21 MANAGEMENT COMMITTEE - RESIGNATION

- (i.) 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 and 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.

22 MANAGEMENT COMMITTEE – REMOVAL

- (i.) A member of the Management Committee may be removed from office at a general

meeting of the Association, where that member shall be given the opportunity to fully present his case. The question of removal shall be determined by the vote of the members present at such a general meeting.

23 MANAGEMENT COMMITTEE - VACANCIES

- (i.) 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.
- (ii.) 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.

24 MANAGEMENT COMMITTEE - FUNCTIONS

- (i.) 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 shall have authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent PROVIDED ALWAYS that such interpretation does not infringe any prevailing provision of the Code of Legacy.

- (ii.) 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 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 money from members at a rate of interest not exceeding the rate for the time being charged by bankers in Bundaberg for overdrawn accounts on 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 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 members of the Association may from time to time determine.
- (iii.) Without in any way limiting the meaning of this Rule all matters concerning the provision of aid, assistance and benefits to an eligible beneficiary shall be determined by way of recommendation by the Management Committee to a General Meeting for the approval of a majority of members.

25 MANAGEMENT COMMITTEE AND SUB-COMMITTEES - MEETINGS

- (i.) The Management Committee shall meet at least once every calendar month to

exercise its functions. Due to shut down periods over the Christmas and New Year period a meeting may not be held in January unless the Management Committee deems it appropriate to hold a meeting.

- (ii.) 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 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.
- (iii.) 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.
- (iv.) Subject as previously provided in 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.
- (v.) 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.
- (vi.) Not less than seven (7) days' notice shall be given by the secretary to members of the Management Committee of any special meeting of the Management Committee, PROVIDED ALWAYS that in a particular case of urgent business the period may be abridged with the consent of all members of the Management Committee. Such notice shall clearly state the nature of the business to be discussed thereat.

(vii.) 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 (10) minutes after the time appointed for holding the meeting, the Senior Vice President shall be chairman, and if he is not present the Junior Vice-President shall be Chairman, and if he is not present then the members may choose one of their number to be Chairman of the meeting.

(viii.) If within half an hour 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 half an hour from the time appointed for the meeting the meeting shall lapse.

26 MANAGEMENT COMMITTEE - SUB-COMMITTEES

(i) The Management Committee may delegate any of its powers to a standing sub-committee elected at the annual general meeting, or 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. A sub-committee may elect a chairman of its meetings. If no such chairman is elected, or if at any meeting the chairman is not present within ten (10) minutes after the time appointed for holding the meeting, the members present may choose one of their number to be chairman of the meeting. 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 members present and in the case of an equality of votes, the question shall be deemed to be decided in the negative.

27 MANAGEMENT COMMITTEE - VALIDITY OF ACTS

- (i.) 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.

28 MANAGEMENT COMMITTEE - RESOLUTIONS

- (i.) 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. Any such resolution may consist of several documents in like form each signed by one or more members of the Management Committee.

29 FIRST GENERAL MEETING

- (i.) The first general meeting shall be held at such time not being less than one (1) month nor more than three (3) months after the incorporation of the Association and at such place as the Management Committee may determine.

30 ANNUAL GENERAL MEETING

- (i.) The annual general meeting shall be held within six (6) months of the close of the

financial (January to December) year.

- (ii.) The business to be transacted at every annual general meeting shall be:
 - a. 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.
 - b. the receiving of the auditor's report upon the books and accounts for the preceding financial year.
 - c. the election of members of the Management Committee and of Standing Sub-Committees; and
 - d. the appointment of an auditor.

31 SPECIAL GENERAL MEETING

- (i.) The secretary shall convene a special general meeting:
 - a. when directed to do so by the Management Committee; or
 - b. on the requisition, in writing signed by not 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. Such requisition shall clearly state the reason why such special general meeting is being convened and the nature of the business to be transacted thereat; or
 - c. on being given a notice in writing of an intention to appeal against the decision of the Management Committee to terminate the membership of any person.
 - d. No business other than that of which notice has been given shall be discussed at such meeting.

32 GENERAL MEETING - QUORUM AND BUSINESS

- (i.) At any general meeting the number of members required to constitute a quorum shall be the number of members presently on the Management Committee plus one.
- (ii.) No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business.
- (iii.) If within half an hour 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. 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.
- (iv.) 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. 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. 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.

33 GENERAL MEETING -NOTICE

- (i.) The secretary shall convene all general meetings of the Association by giving not less

than seven (7) days' notice of any such meeting to the members of the Association.

- (ii.) The manner by which such notice shall be given shall be determined by the Management Committee PROVIDED that notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the termination of his membership by the Management Committee shall be given in writing. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

34 GENERAL MEETING - PROCEDURE

- (i.) Unless otherwise provided by these Rules at every general meeting:
- a. The President shall preside as Chairman or if there is no President or if he 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 Chairman, and if they are not present or are unwilling to act then the members present shall elect one of their number to be Chairman of the meeting.
 - b. The Chairman shall maintain order and conduct the meeting in a proper and orderly manner.
 - c. Every question, matter or resolution shall be decided by a majority of votes of the members present.
 - d. Every member present shall be entitled to one vote and in the case of an equality of votes the Chairman shall have a second or casting vote PROVIDED that no member shall be entitled to vote at any general meeting if his annual subscription is more than one (1) month in arrears at the date of the meeting.
 - 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. The Chairman shall appoint two (2) members to conduct the secret ballot in such manner as he 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.

- f. On a show of hands and in a secret ballot every member present shall have one (1) vote.
- g. 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. 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. 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: PROVIDED, that 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.

35 BY-LAWS

- (i.) 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.

36 ALTERATION OF RULES

- (i.) Subject to the provisions of the Associations Incorporation Act of 1981 these Rules may be amended, rescinded, or added to from time to time by a Special Resolution carried at any General Meeting. However, an amendment, repeal or addition is valid only if it is registered by the Chief Executive.

37 COMMON SEAL

- (i.) The Management Committee shall provide for a Common Seal and for its safe custody. 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 that purpose.

38 FUNDS AND ACCOUNTS

- (i.) The funds of the Association, (except moneys to the credit of the Members Club Account), shall be banked to the credit of an account in the name of the Association in such Bank as the Management Committee may from time to time direct, and shall be applied exclusively to the Objects of the Association.
- (ii.) Proper books and accounts shall be kept and maintained either in written, electronic, or printed form in the English language correctly showing the financial affairs of the Association and the particulars usually shown in books of a like nature.
- (iii.) All moneys shall be banked as soon as practicable after receipt thereof.
- (iv.) All amounts of **fifty** dollars or over shall be paid by cheque or electronically signed by any two of the President, Secretary, Treasurer, or other members authorised from

time to time by the Management Committee.

- (v.) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupments which may be open.
- (vi.) The Management Committee shall determine the amount of petty cash which shall be kept.
- (vii.) All expenditure shall be approved or ratified at a Management Committee meeting.
- (viii.) As soon as practicable after the end of each financial year the treasurer shall cause to be prepared a statement containing particulars of:
 - a. the income and expenditure for the financial year just ended; and
 - b. the assets and liabilities, and of all mortgages, charges and securities affecting the property of the Association at the close of that year.
- (ix.) All such statements shall be examined by the auditor who shall present his report upon such audit to the secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.
- (x.) The income and property of the Association whencesoever derived, except fees and levies paid by members and held to the credit of the Members Club Account, shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein, and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association, provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect of moneys advanced by him to the Association or otherwise owing by the Association to him, or of remuneration to any officers or servants of the Association or to any member of the Association or other person in return for any services actually rendered to the

Association, provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Association or reasonable and proper rent for premises demised or let to the Association.

39 DOCUMENTS

- (i.) The Management Committee shall provide for the safe custody of books, documents instruments of title and securities of the Association.

40 FINANCIAL YEAR

- (i.) The financial year of the Association shall close on 31st December in each year.

41 DISTRIBUTION OF SURPLUS ASSETS

- (i.) If the Association shall be wound up in accordance with the provisions of the Associations Incorporation Act 1981, and there remains after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association, but shall be given or transferred to some other institution or institutions having objects similar to the objects 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 is imposed on the Association under or by virtue of Rule 30(x) such institution or institutions to be determined by the members of the Association.
- (ii.) In the event of the organisation being wound up, any surplus assets remaining after the payment of the organization's liabilities shall be transferred to another organisation in Australia which is a public institution for the purposes of any Commonwealth Taxation Act.

- (iii.) If the gift fund is wound up or if the endorsement (if any) of the organisation as a deductible gift recipient is revoked, any surplus assets of the Gift Fund remaining after the payment of liabilities attributable to it shall be transferred to a fund, authority or institution to which income tax deductible gifts can be made.

42 ASSOCIATIONS INCORPORATIONS ACT QUEENSLAND

- (i.) These Rules shall be interpreted strictly to comply with the requirements of the Associations Incorporation Act 1999 as amended from time to time.

43 EXCLUSION OF MODEL RULES

- (i.) Section 47(i) of the Associations Incorporation Act 1999 is specifically excluded and does not apply to these Rules.