



# Brisbane Rugby League Referees Association Incorporated

## CONSTITUTION

### 1. NAME

The name of the incorporated association shall be "Brisbane Rugby League Referees' Association Incorporated".

### 2. OBJECTS

The objects for which the association is established are:

- a) *The Association is formed to promote, foster, support and encourage the game of Rugby League under the auspices of a Brisbane based Local League(s) which is determined from time to time by the Queensland Rugby League South East Queensland Division in accordance with the rules of the Queensland Rugby Football League Limited (herein after referred to as "the QRL") and to work in conjunction with the South East Divisional Referees' body to further these objects;*
- b) To administer the laws of the game provided by the Australian Rugby League Commission;
- c) To promote all aspects of refereeing;
- d) To provide competent referees for appointment to games controlled by National Rugby League, the QRL and in particular the Local Leagues; and
- e) To take the necessary steps for the protection and safety of its members in the course of their duties and to ensure the maintenance of the rights, privileges and concessions held or enjoyed by such members.

### 3. POWERS

- a) To subscribe to, become a member of and co-operate with any other association, club or organization, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds any club, association or organization which does not prohibit the distribution of its income and property among its members to an

extent at least as great as that imposed on the Association under or by virtue of Rule 29 (l).

- b) In furtherance of the objects of the Association to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Association's premises.
- c) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, building, easements or property, real and personal, and any rights privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Association: Provided that in case the Association shall only deal with the same in such manner as is allowed by law having regards to such trusts.
- d) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- e) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workers and other persons as may be necessary or convenient for the purposes of the Association.
- f) To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the Association, or in or about the Association or promotion of the Association or in the furtherance of its objects.
- g) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidize or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- h) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit.
- i) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.
- j) In furtherance of the objects of the Association to lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations

by any person or body corporate, and otherwise to assist any person or body corporate.

- k) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the Association's property or assets present or future and to purchase, redeem or pay off any such securities.
- l) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- m) In furtherance of the objects of the Association to sell improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchases and others.
- n) To take or hold any mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, or any part of the Association's property or whatsoever kind sold by the Association, or any money due to the Association from purchasers and others.
- o) To take any gift or property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to proviso in Rule 3 (d).
- p) 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 funds of the Association, in the shape of donations, annual subscriptions or otherwise.
- q) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects.
- r) In furtherance of the objects of the Association to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of Rule 29 (l).
- s) In furtherance of the objects of the Association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorized to amalgamate.

- t) In furtherance of the objects of the Association to transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorized to amalgamate.
- u) To make donations for patriotic, charitable, or community purposes.
- v) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any way in which the Commonwealth of Australia is engaged.
- w) 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.

#### 4. CLASSES OF MEMBERS

- a) The membership of the Association shall consist of the following classes of members:

- i) Ordinary Members (International Rules)

*An Ordinary Member (International Rules) – is a person who has attained the age of eighteen (18) years and is appropriately accredited and actively engaged in refereeing and/or touch judging or holds a position in the Association.*

- ii) Ordinary Members (Modified Rules)

*Ordinary Member (Modified Rules) – is a person who has attained the age of eighteen (18) years and is appropriately accredited and actively engaged in refereeing and/or touch judging the League in the modified game only.*

- iii) Junior Members (International Rules)

*A Junior Member (International Rules) – is a person who has not attained the age of eighteen (18) years who is actively engaged in refereeing and/or touch judging. Junior Members shall participate in the rights and privileges of the Association apart from voting rights.*

- iv) Junior Members (Modified Rules)

*A Junior Member (Modified Rules) – is a person who has not attained the age of eighteen (18) years who is actively engaged in refereeing and/or touch judging in the modified game. Junior Members (Modified Rules) shall participate in the rights and privileges of the Association apart from voting rights.*

v) Associate Members

*An Associate Member is a person who has attained the age of eighteen (18) years and is not actively engaged in refereeing or touch judging and who does not hold any position in the Association, who has received the approval of the Management Committee upon application in terms of Rule 5 (a) hereof.*

vi) Life Members

*A Life Member shall be any member who has been a member of the Association or any body wound up under the provisions of the Associations Incorporations Act from which the Association received the surplus assets for a combined total of at least twelve (12) years who has rendered conspicuous and meritorious service to the Association who may be elected to life membership by a majority of two-thirds of those present and voting at any general meeting after being nominated by the Management Committee.*

vii) Social Members

*A Social Member is a person who has interests consistent with those of the Association. Social members shall participate in the rights and privileges of the Association apart from voting rights.*

- b) All classes of members shall be unlimited in numbers;
- c) Visitors – The *Management Committee* may invite any person to participate in the privileges and rights of the Association apart from voting rights.

## 5. MEMBERSHIP

- a) The application for membership shall be made in writing, signed by the applicant and shall be in such form as the *Management Committee* from time to time prescribes.

## 6. MEMBERSHIP FEES

- a) Be such sum as the *Management Committee* shall from time to time determine.
- b) Be payable at such time and in such manner as the *Management Committee* shall from time to time determine.

## 7. ADMISSION AND REJECTION OF MEMBERS

- a) At the next meeting of the *Management Committee* after receipt of any application and the fee applicable for any class of membership such application shall:
- b) Be considered by the *Management Committee*, who shall thereupon determine the admission or rejection of the applicant.

- c) Any applicant who receives a majority of the votes of the members of the *Management Committee* present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
- d) Upon the acceptance or rejection of an application for any class of membership the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.
- e) There shall be no right of appeal against rejection of an application to any class of membership of the association.

## **8. TERMINATION OF MEMBERSHIP & DISCIPLINARY PROCEDURES**

- a) 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.
- b) The *Management Committee* may consider whether a member should be *censured, fined, suspended or expelled if they:*
  - i) Are convicted of an indictable offence; or
  - ii) Fail to comply with any of the provisions of these rules; or
  - iii) Has membership fees in arrears for a period of two (2) months or more; or
  - iv) Conduct themselves in a manner *which in the opinion of the Management Committee is unbecoming of a member* or considered to be injurious or prejudicial to the character or interests of the Association.
- c) Before the *Management Committee disciplines or expels a member*, the member concerned shall be given a full and fair opportunity to present their case and show why the *disciplinary action or expulsion should not proceed*.
- d) If, after considering all representations made by the member, the *Management Committee* decides to *censure, fine, suspend or expel the member*, it shall instruct the Secretary to advise the member in writing of the decision.

## **9. APPEAL AGAINST TERMINATION OF MEMBERSHIP AND DISCIPLINARY ACTION**

- a) A person whose membership has been terminated, *or who has been otherwise disciplined by the Management Committee* may within *fourteen (14) days* of receiving written notification thereof, lodge with the Secretary written notice of their intention to appeal against the decision of the *Management Committee*.

- b) Upon receipt of a notification of intention to appeal against the *decision of the Management Committee*, the Secretary shall convene, within *one (1) month* of the date of receipt of such notice, a general meeting to determine the appeal. At any such meeting the applicant shall be given the opportunity to fully present their case and the Management Committee or those members thereof who *disciplined the member* subsequently shall likewise have the opportunity to present its or their case. The appeal shall be determined by the vote of the members present at such meeting.

## 10. REGISTER OF MEMBERS

- a) The *Management Committee* shall cause a Register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the Association and the dates of their admission.
- b) Particulars shall also be entered into the Register of deaths, resignations, terminations and reinstatement of membership and any further particulars as the *Management Committee* or the members at any general meeting may require from time to time.
- c) The Register shall be open for inspection at all reasonable times by any member who previously applies to the Secretary for such inspection.
- d) The *Management Committee* may, on the application of a member of the association, withhold information about the member (other than the members full name) from the register available for inspection if the *Management Committee* has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

## 11. PROHIBITION ON USE OF INFORMATION ON REGISTER OF MEMBERS

- a) A member of the association must not use information obtained from the register of members of the association to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes; or
- b) Disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes.
- c) Rule 11 (a) does not apply if the use or disclosure of the information is approved by the association.

## 12. OFFICE BEARERS

- a) PATRON – The Patron shall hold office at the pleasure of the members and need not be elected annually, and as such shall not have any right of voting at any meeting of the Association.
- b) EXECUTIVE – The Executive of the Association shall consist of the President and Treasurer both of whom shall be members of the Association.
- c) SECRETARY – The Secretary of the Association must be an individual residing in Queensland, (whether or not the individual is a member of the Association). The *Management Committee* may appoint and remove the Secretary at any time, however if a vacancy happens in the office of Secretary the *Management Committee* must appoint a replacement within one month of the vacancy happening. As such, the Secretary shall have no right of voting at any meeting of the *Management Committee*. A member of the *Management Committee* shall not be appointed to the position of Secretary.

## 13. MEMBERSHIP OF MANAGEMENT COMMITTEE

- a) Shall consist of the members of the Executive and three (3) other members of the Association elected at the Annual General Meeting.
- b) At the Annual General Meeting of the Association, all the members of the *Management Committee* for the time being shall retire from office, but shall be eligible, upon nomination, for re-election.
- c) The election of the Executive and other members of the *Management Committee* shall take place in the following manner:
  - i) Any two members of the Association shall be at liberty to nominate any other member to serve as an Executive or other member of the *Management Committee*;
  - ii) The nomination, which shall be in writing and signed by the member and the proposer and seconder, shall be lodged with the secretary at least fourteen days before the Annual General Meeting at which the election is to take place;
  - iii) A list of the candidates' names in alphabetical order, with the proposer and seconder's names and membership class of the candidate, shall be posted in a conspicuous place in the office or usual place of meeting of the Association for at least seven days immediately preceding the Annual General Meeting; and
  - iv) 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 and such ballot shall be by exclusive vote;



- v) 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.

#### **14. RESIGNATION FROM MANAGEMENT COMMITTEE**

- a) 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 or such member may be removed from office at a general meeting of the Association where that member shall be given the opportunity to fully present a defence. The question of removal shall be determined by the vote of the members present at such a general meeting.

#### **15. VACANCIES ON MANAGEMENT COMMITTEE**

- a) 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.
- b) 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.

#### **16. FUNCTIONS OF THE MANAGEMENT COMMITTEE**

- a) Except as otherwise provided by these Rules and subject to the Association By-laws and resolutions of the members of the Association carried at any general meeting the *Management Committee* –
  - i) Shall have the general control and management of the administration of the affairs, property and funds of the Association; and
  - ii) Shall have the authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent.
- b) The *Management Committee* may exercise all powers of the Association –
  - i) 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 of such securities;

- ii) 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 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;
- iii) To invest in such manner as the members of the Association may from time to time determine; and
- iv) To impose levies on all or any class or classes of members.

## **17. MEETINGS OF MANAGEMENT COMMITTEE**

- a) The *Management Committee* shall meet at least once every calendar month to exercise its functions.
- b) 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.
- c) At every meeting of the *Management Committee* a simple majority of the number of members required on the *Management Committee* by Rule 13 (a) shall constitute a quorum.
- d) 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.
- e) A member of the *Management Committee* shall not vote in respect of any contract or proposed contract with the Association in which the member is interested, or any matter arising thereout, and if the member does so vote then this vote shall not be counted.
- f) 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*. Such notice shall clearly state the nature of the business to be discussed thereat.
- g) The President shall preside as Chairman at every meeting of the *Management Committee*, or if there is no President, or if at any meeting the President is not present within fifteen minutes after the time appointed for the holding of the meeting, then the members may choose one of their number to be Chairman of the Meeting.

- h) 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.

## 18. SUB-COMMITTEES

- a) 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*.
- b) Subject to Rule 25 (a) 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 fifteen minutes after the time appointed for holding the meeting, the members present may choose one of their number to be Chairman of the meeting.
- c) 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 committee members present save as herein provided by Rule 17 (d).
- d) The *Management Committee* will be empowered to select such persons to such positions as it may consider necessary or desirable from time to time to carry out the responsibilities and functions as may be required for the implementation and operation of the By-laws of the association from time to time.

## 19. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

- a) 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*.

## 20. RESOLUTIONS OF *MANAGEMENT COMMITTEE* WITHOUT MEETING

- a) A resolution in writing signed by all 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*.

## 21. ANNUAL GENERAL OR GENERAL MEETINGS

- a) The Annual General Meeting of the Association shall be held within forty-five days of the close of the financial year.
- b) The business to be transacted at every Annual General Meeting shall be –
  - i) Confirmation of minutes of the previous annual meeting;
  - ii) 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;
  - iii) The receiving of the auditor's report upon the books and accounts for the preceding financial year;
  - iv) The election of members of the *Management Committee*; and
  - v) The appointment of an auditor.

## 22. SPECIAL GENERAL MEETINGS

- a) The Secretary shall convene a special general meeting –
  - i) When directed to do so by the *Management Committee*; or
  - ii) Within 6 weeks on the requisition in writing signed by not less than one-third of the members presently on the *Management Committee* or not less than one-fifth of the number of members of the Association or 20 members, whichever is the lesser. Such requisition shall clearly state the reasons why such a special general meeting is being convened and the nature of the business to be transacted thereat; or
  - iii) Within *one (1) month* on being given notice under Rule 9 (b) hereof that a member wishes to *appeal* against *disciplinary action by the Management Committee*.

## 23. QUORUM

- a) At any general meeting the number of members required to constitute a quorum shall be double the number of members presently on the *Management Committee* plus one.
- b) No business shall be transacted at any general meeting unless a quorum of members is present when the meeting proceeds to business.
- c) If within half an hour from the time appointed for the commencement of any 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.
- d) 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 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.
- e) Members must be in attendance within thirty (30) minutes of the time appointed for the commencement of any general meeting to be deemed 'present'.

#### **24. NOTICE OF GENERAL MEETINGS**

- a) 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, provided that not less than fourteen (14) days' notice shall be given of any Annual General Meeting.
- b) The manner by which such notice is to be given shall be determined by the *Management Committee*. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

#### **25. GENERAL OR SUB-COMMITTEE MEETINGS**

- a) At every general meeting or Sub-committee meeting –
  - i) The President shall preside as Chairman, or if there is no President, or if he/she is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, then the members present shall elect one of their number to be Chairman of the meeting.

- ii) The Chairman shall maintain order and conduct the meeting in a proper and orderly manner.
- iii) Every question, matter or resolution shall be decided by a majority of votes of members present.
- iv) Every eligible member present shall be entitled to one vote and in 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 that member's annual subscription is in arrears at the date of the meeting.
- v) 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 members to conduct the secret ballot in such a manner as he or she 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.
- vi) A member may vote in person and on a show of hands every person present is a member shall have one vote and in a secret ballot every member shall have one vote.
- vii) 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 *recorded and made available* 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 *verified* by the Chairman of that meeting or the Chairman of the next succeeding *Management Committee* meeting *confirming* 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 *verified* by the Chairman of that meeting or the Chairman of the next succeeding general meeting or Annual General Meeting.

## 26. BY-LAWS & POLICIES

- a) A general meeting of the Association may from time to time make, amend or repeal By-laws, not inconsistent with these Rules, for the internal management of the Association, provided that 14 days prior notice shall have been given to all members of the intention to do so. Such By-laws must be consistent with the QRL rules.
- b) The *Management Committee* may from time to time make, amend or repeal policies, not inconsistent with these Rules of the Association By-laws for the internal management of the Association. Any policy may be set aside by resolution at a general

meeting of the members, provided that 14 days prior notice shall have been given to all members of the intention to do so.

## 27. ALTERATION OF RULES

- a) 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. However an amendment, rescission or addition is only valid if it has been previously submitted and approved by the Chief Executive of the Department administering the Act.

## 28. COMMON SEAL

- a) 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 the purpose.

## 29. FUNDS AND ACCOUNTS

- a) The funds of the Association shall be deposited in the name of the Association in such Financial Institution as the *Management Committee* may from time to time direct.
- b) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.
- c) All moneys shall be deposited as soon as practicable after the receipt thereof.
- d) All amounts of one hundred dollars (\$100) or over shall be paid by cheque or electronic funds transfer
- e) If payment of one hundred dollars (\$100) is made by cheque, the cheque must be signed by any 2 of the following-
  - i) The President; or
  - ii) The Secretary; or
  - iii) The Treasurer; or
  - iv) Any 1 of 3 other members of the association who have been authorized by the *Management Committee* to sign cheques issued by the association.
- f) If payment of one hundred dollars (\$100) is made by electronic funds transfer, the transfer must be authorised by any 2 of the following-

- i) The President; or
  - ii) The Secretary; or
  - iii) The Treasurer; or
  - iv) Any 1 of 3 other members of the association who have been authorized by the *Management Committee* to sign cheques issued by the association.
- g) Cheques shall be crossed “not negotiable” except those in payment of wages, allowances or petty cash recoupment which may be open.
- h) The *Management Committee* shall determine the amount of petty cash which shall be kept on the impress system.
- i) All expenditure shall be approved or ratified at a *Management Committee* meeting.
- j) As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing the particulars of –
- i) The income and expenditure for the financial year just ended; and
  - ii) The assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.
- k) All such statements shall be examined by the auditor who shall present a 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.
- l) The income and property of the Association whencesoever derived 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 such member to the Association or otherwise owing by 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.

### 30. DOCUMENTS

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

### 31. FINANCIAL YEAR



- a) The financial year of the Association shall close on 30<sup>th</sup> September in each year.

### **32. DISTRIBUTION OF SURPLUS ASSETS**

- a) 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 29 (I), such institution or institutions to be determined by the members of the Association.