



CONSTITUTION Revised 2011

Revision History

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2010.01		
2011.01	Anita Edwards Derek Kirstenfeldt Jacqueline Merritt Brett Merritt Stephen Tate	Overall review for consistency

The name of the Incorporated Association shall be the
Toowoomba 8 Ball Association Incorporated
(In these rules called the "Association").

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2. OBJECTS. CORPORATED DESCRIPTION

The objects for which the Association is established are;

- a) To foster and control the game of Eight ball for Male and Female competitors in the Toowoomba area, and such other places adjoining the Toowoomba Area as the Queensland 8 Ball Federation may permit.
- b) To arrange, manage and control all games between Hotels, Clubs and/or Sub-Associations in competition within the said area and any games between Inter State and International Teams as may occur from time to time.
- c) To publicise, promote, and foster 8 ball within the Educational institutions in Toowoomba and surrounding areas and among all interested persons.
- d) To hear, investigate and adjudicate upon any charge against any Hotel or Club, Association or Sub-Association Affiliated with the Association or against any member of this Association or Affiliated Sub-Associations and to take such action as may be deemed advisable.
- e) To raise funds by subscription, fees, fines or other means determined.
- f) To rent or lease playing venues upon such terms and conditions as may be considered advisable.
- g) To purchase, acquire and hold real property and to erect, build and maintain buildings upon any real and/or leasehold property.
- h) To lease and let any real property on such conditions and for such terms as be deemed advisable.
- i) To control all or any Sub-Associations formed within its boundaries, provided however, that it may grant permission to any Sub-Association to become affiliated with its State Parent body.
- j) To obtain Guarantors for the purpose of Loan raising and security thereof.
- k) To borrow and raise money in such a manner as the Association may see fit, and particularly by mortgages or by the issue of or upon debentures or debenture stock, or in such other matter as the Association shall think fit.
- l) To subscribe to any local or other public charities and to grant donations for any public purposes.
- m) To invest and lend monies of the Association in such a manner as may be recommended by the Committee of Management.
- n) To carry on such trade or business as may be hereafter determined for the benefit of the Association and not for personal profit.
- o) To employ, pay and dismiss servants for the purpose of furthering the objects of the Association.
- p) To enter Lease agreements for the acquisition of plant and equipment.
- q) To do all such acts and things, whether solely or in conjunction with any person or persons, as the Association may in its absolute discretion consider incidental or conducive to the above objects or any of these.

PROVIDED ALWAYS;

That the income or property of the Association whensoever derived shall be used and applied solely in the promotion of its objects and in the exercise of its powers as herein set out.

3. POWERS

The powers of the Association are;

- a) To take over the funds and other assets and Liabilities of the former unincorporated Association known as the "Toowoomba 8 Ball Association ".
- b) To subscribe to, become a member of, and co-operate with any other Association, Club, or Organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association, providing that the Association shall not subscribe to or support with its funds any Club, Association or Organisation which does not prohibit the distribution of its income and property among its Members to an extent under or by virtue of Rule 17(J).
- c) 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.
- d) To purchase, take on lease, or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real or personal, and any rights or privileges which may be requisite for the purpose of, or capable of being conveniently used in connection with, any of the objectives of the Association. Provided that in case the Association shall only deal with the same in such manner as is allowed by law having regard to such trusts.
- e) 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.
- f) To appoint, employ, remove or suspend such Managers, Clerks, Secretaries servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.
- g) To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the Incorporated Association, or in or about the incorporated Association or promotion of the Incorporated Association or in furtherance of its objects.
- h) To construct, improve, maintain, develop, work, manage, carryout, 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, subsidise or otherwise assist and take part in the construction, improvements, maintenance, development, working, management, carrying out, alteration or control thereof.
- i) To invest and deal with the money of the Association not immediately required, in such a manner as may from time to time be thought fit.
- j) To take or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.
- k) 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.

- l) To borrow or raise money either alone or jointly with any other person or legal entity in such a 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 note secured or unsecured, debentures or debenture stock, perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated association's property or assets present securities subject where applicable to Regulation 32 (14) of the Collections Regulations 1975.
- m) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- n) In furtherance of the objects of the Association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property of the Association.
- o) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance or purchase price, or any part of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others.
- p) To take any gift or property whether subject to any special trusts or not, for any one or more of the objects of the Association but subject always to the proviso in-Sub-Rule (4).
- q) 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.
- r) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects.
- s) In furtherance of the objectives of the Association to amalgamate fully or in part with any one or more incorporated Association's 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 17 (j).
- t) 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 authorised to amalgamate.
- u) 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 authorised to amalgamate.
- v) To make donations for patriotic, charitable, sporting or community purposes.
- w) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged.
- x) To suspend players, impose fines on players, members, clubs, associations or sub-associations as the Association sees fit and for any period or amounts, for any reason considered detrimental to the game of 8 ball or this Association or breach of any of the By-Laws.
- y) The Association or its appointed judiciary committee shall have the power to adjudicate or referee any dispute that may arise between a player and any club provided a written complaint is received from either party with a request to adjudicate such dispute. The Association's ruling on the dispute shall be binding on all parties, provided all parties have had the opportunity to present their case.

- z) To accept or reject all classes of membership.
- aa) To terminate membership or re-instate such membership in terms of sections 7 and 8 of Classes of Membership.
- bb) To do all such things as are incidental or conducive to the attainment of the objects and to exercise the powers of the Association.

4. CLASSES OF MEMBERS

The membership of the Association shall consist of the following classes:

- (1) Life Members
- (2) Ordinary Members
- (3) Social Members
- (4) Honorary / Temporary Members
- (5) Junior Members
- (6) Corporate Members

DEFINITIONS

(1) LIFE MEMBER

- i. The Association may at any Annual General Meeting elect as a life member of the Association any member or former member of the Association who has made an outstanding contribution to the advancement of 8 Ball in the Toowoomba area for a period of not less than 7 (Seven) years.
- ii. The number of Life Memberships conferred in any one year may be determined from time to time by the Board of Management.
- iii. Application for life Membership shall be submitted in writing not less than one month prior to the Annual General Meeting by an Affiliated Hotel or Club or Sub Association and must be signed by two financial ordinary members of the Association who are members of the Nominating Hotel or Club or Sub-Association.
- iv. The Application shall first be submitted to the Board of Management who shall meet and by a Majority Vote approve such nomination for submission to the Annual General Meeting. Any submission not so approved shall go no further. On submission of such application to the Annual General Meeting, Life Membership may be granted on a majority vote by ballot.
- v. Life members shall be entitled to speaking privileges at all Association meetings and the privilege of voting at any General Meeting of the Association.
- vi. Life members of the former unincorporated Association are Life Members of the Toowoomba 8 Ball Association Inc.

(2) ORDINARY MEMBER

An ordinary member shall be any person who, being a current financial member of an Affiliated Hotel or Club or Affiliated association, is an active participant in the sport of 8 Ball, has attained the age of thirteen (13) years and qualifies for membership by virtue of any of the following provisions:

- a. Active or registered player
- b. Coach
- c. Team Manager/Manageress
- d. Team Trainer, First Aid Attendant or Physiotherapist

- e. Duly elected official of Affiliated Hotel or Club or Association. (Provided that the Association had prior notification of the election of such an Official)
- f. Any member of duly elected official of the Toowoomba 8 Ball Umpires Association
- g. Any financial member of an Affiliated Club or Association who, in the opinion of the Executive of that Club or Association is a fit and proper person

(3) SOCIAL MEMBER

A Social Member shall be any person who is not necessarily actively engaged in the sport of 8 Ball, but who wishes to participate in the social activities conducted by the Association for the benefit of 8 Ball.

A Social Member shall not be entitled to vote at any Annual General Meetings or General Meetings of the Association, nor contest any Election of Office Bearers of the Association.

(4) HONORARY / TEMPORARY MEMBER

An Honorary and/or Temporary Membership may be conferred or revoked by the Executive Committee or their representative on any member of a sporting team that is unaffiliated with the Association for the day or period of time that such sporting activities will take place or any bona fide visitor of the City of Toowoomba for the duration of their visit. Such holders of Honorary/Temporary Membership shall not be entitled to vote at any meetings of the Association or to hold office in any capacity in the Association and such membership can be revoked by the Executive Committee or their Representative.

(5) JUNIOR MEMBER

An Junior member shall be any person who, being a current financial member of an Affiliated Hotel or Club or Affiliated association, is an active participant in the sport of 8 Ball and has attained the age of eight (8) years.

Any financial member of an Affiliated Club or Association who, in the opinion of the Executive of that Club or Association is a fit and proper person.

(6) CORPORATE MEMBER

A Corporation may qualify for Membership by payment of a substantial donation to the Association or by acceptance of Corporate Membership provisions as offered by the Association from time to time. Holders of Corporate Membership shall not vote at any Annual General Meeting or General Meeting of the Association nor contest any election of office Bearers of the Association unless they qualify to do so under the provisions laid down for Ordinary Membership.

LIMITATIONS

- (1) The number of Life Members is unlimited
- (2) The number of Ordinary Members is unlimited
- (3) The number of Social Members is unlimited
- (4) The number of Honorary/Temporary Members is unlimited.

Every applicant for any class of membership other than Honorary or Temporary members of the Association shall be made in writing, signed by the applicant and shall be in such form as the Executive Committee from time to time prescribes.

5. ADMISSION AND REJECTION OF MEMBERS

- a) At the next meeting of the Executive Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Executive Committee, who shall thereupon determine upon the admission or rejection of the applicant.
- b) Any applicant who receives a majority of the votes of the members of the Executive Committee present at the meeting at which such application is being considered shall be accepted as a member of the class of membership applied for.
- c) Upon the acceptance or rejection for any class of membership, other than Honorary/Temporary Members, the Secretary shall forthwith give the applicant notice in writing of such an acceptance or rejection. The Management Committee need not give any reason for the rejection of an application for membership.
- d) The Secretary shall cause to be displayed in a prominent position in the Association's Headquarters, a member's name, the proposer's name and the seconder's name, for not less than 7 days prior to the meeting at which such applications will be determined. This applies to Ordinary Members, Social Members, and Corporate Members.

6. TERMINATION OF MEMBERSHIP

- 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 that notice when it shall take effect on that later date.
- b) If a Member:
 - i. is convicted of an indictable offence or;
 - ii. fails to comply with any of the provisions of these rules or by-laws or;
 - iii. has membership fees in arrears for a period of two months or more:

The Executive Committee shall consider whether his/her membership shall be terminated. The member shall be given notice in writing at least 1 week prior to the meeting at which a complaint will be heard.

The member concerned shall be given a full and fair opportunity of representing his/her case and if the Executive Committee resolves to terminate his/her membership it shall instruct the Secretary to advise the member in writing accordingly.

In lieu of termination of membership, the Executive Committee may, having regard to the seriousness of an offence against the rules or by-laws of the Association impose a period of suspension of membership privileges for no less than one month and no more than twelve calendar months.

During a period of suspension, a member may not attend any duly constituted meeting of the Association unless requested to do so in writing by the Executive Committee.

7. APPEAL AGAINST TERMINATION OF MEMBERSHIP

- a) A person whose membership has been terminated under the rules of the Association may, within one month of receiving written notification thereof, lodge with the Secretary written notice of his/her intention to appeal against the decision of the Executive Committee.
- b) Upon receipt of written notification of a member's intention to appeal against termination of his/her membership the Secretary shall convene within three months of the date of receipt of such notice a General meeting to determine the appeal.
- c) Where a person whose membership is terminated does not appeal against the decision of the Executive Committee within the time prescribed by these rules the termination will stand and all fees paid for the current year forfeited.

8. REGISTER OF MEMBERS

- a) The Executive Committee shall keep a register in which shall be entered the names and residential addresses of all persons admitted to membership of the Association, and details of their admission.
- b) Particulars shall also be entered into the Register of Deaths, resignations, terminations and re-instatement of memberships and any further details as the Executive Committee or the Association may require from time to time.
- c) The Register shall be open for inspection at all reasonable times by any member who previously applies in writing to the Secretary for such inspection.
- d) The Membership Register shall remain the confidential property of the Association and shall be used for no other purpose than those provided for in these rules.

9. MEMBERSHIP OF EXECUTIVE COMMITTEE

- a) The Executive Committee of the Association shall consist of the following members, all of whom must be ordinary or Life Members of the Association;
A President, Vice-President, Secretary, Treasurer, (Only two of whom may be members of the same Hotel/Club) and not less than 5 elected members to form the balance of the Executive Committee.
- b) At the Annual General Meeting of the Association, all the members of the Executive of the Executive Committee, for the time being, shall retire from office, but shall be eligible upon nomination for re election.
- c) Each Team may nominate no more than three candidates to contest Election as Committee Person. Only two of whom shall be elected by ballot as a simple majority. The first two elected will be known as committee Persons, and the third nomination will become a Proxy Committee Person.

In the event of a tied vote, the President's casting vote will be used, The Proxy Committee Person may observe all meetings of the Executive Committee and substitute for the Committee Member should the need arise.

- d) All nominations for Committee Person or Proxy Committee Person must be submitted in writing and be signed by two members, as proposer and seconder and be lodged with the Secretary at least 21 days prior to the meeting at which the election is to take place.

- e) A list of candidates names, in alphabetical order with the proposers and seconders names shall be posted in a conspicuous place where the meeting at which the election will take place.

BALLOT PAPERS

- a) The ballot papers shall be prepared in a manner prescribed by the Returning Officer. Unless otherwise directed by the Returning Officer the Candidates shall be listed in alphabetical order and each person present shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
- b) 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, provided that the person/s nominated are present and accept the nomination.
- c) For the purpose of conducting the annual election of Office Bearers, the Executive Committee shall appoint a suitable Returning Officer and at least 2 scrutineers, none of which shall be contestants.
- d) Any member of the Executive Committee may resign from membership of the Executive Committee at any time, by giving notice in writing to the Secretary, but such resignation shall take effect at a time such notice is received by the Secretary unless a later date is specified in the notice when it will take effect on the 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 his/her case. The question of removal shall be determined by the vote of members present at such a general meeting.

10. VACANCIES ON THE EXECUTIVE COMMITTEE

- a) In the event of a elected Committee member vacating his/her position on the Committee (for whatever reason) the Proxy Committee Member will ascend to that position. The Executive Committee at their discretion may elect a new Proxy Committee Member to fill the vacancy.
- b) The continuing members of the Executive Committee may act notwithstanding any casual vacancy on the Executive 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 Committee, the continuing number of members may act for the purpose of increasing the number of Members of the Committee to that number or of summoning a general meeting of the Association, but for no other purpose.

11. FUNCTIONS OF THE EXECUTIVE COMMITTEE

- a) Except as otherwise provided by these Rules and subject to resolutions of the members of the Association carried at any General Meeting, The Executive 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 authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent.
- b) The Executive Committee may exercise all the 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 or any debt, Liability, Contract, guarantee or any 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 Associations, property, both present and future, and to purchase, redeem or pay off and such securities
- ii. to borrow money from members at a rate of interest comparable to the current rates for the time being 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 an security for any debt, Liability or obligation of the Association and to provide and pay off any securities; and
- iii. To invest in such manner as the Executive Committee of the Association may from time to time determine.

12. MEETINGS OF THE EXECUTIVE COMMITTEE

- a) The Executive Committee shall meet at least once every 6 (six) weeks to exercise its functions.
- b) A Special meeting of the Executive Committee shall be convened by the Secretary on the requisition in writing signed by not less than 1/3rd of the members of the Executive Committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of business to be transacted thereat.
- c) At every meeting of the Executive Committee a simple majority of a number equal to the numbers of members and/or appointed to the Executive Committee as at the close of the last general meeting of the members, shall constitute a quorum.
- d) Subject to the provisions of this rule, the Executive Committee may meet together and regulate its proceedings as it thinks fit, providing that questions arising at any meeting of the Executive Committee shall be decided by a majority of votes and in the case of equality of votes, the Chairman shall have a second or casting vote.
- e) A member of the Executive Committee shall not vote in respect of any contract or proposed contract with the Association in which he/she is interested, or any matter arising thereout, and if he/she does so vote, His/Her vote shall not be counted.
- f) Not less than 7 days notice shall be given by the Secretary to members of the Executive Committee of any special meeting of the Executive Committee. Such notice shall clearly state the nature of the business to be discussed thereat.
- g) The President shall preside as Chairman or an appointed Chairperson, at every meeting of the Executive Committee. If there is no President, or if at any meeting he/she is not present within ten minutes after the time appointed for holding the meeting, the Vice-President shall be the Chairman or an appointed Chairperson, or if the Vice-President is not present at 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 Executive Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Executive Committee, shall lapse. In any other case it shall stand adjourned to the same place in the next week at the same time and place, or to such other day and at such other time and place as the Executive

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.

13. SUB COMMITTEE

The Executive Committee may delegate any of its powers to a Sub Committee consisting of such members of the Association as the Executive 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 Executive Committee.

- a) A Sub-Committee may elect a Chairman of its meeting. If no such Chairman is elected, or if at any meeting the Chairman is not present within ten minutes after the time appointed for holding the meeting, the members may choose one of their number to be Chairman of the meeting.
- b) A Sub-Committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of vote of the members present and, in the equality of votes, the question shall be deemed to be decided in the negative.
- c) All Sub-Committee activity including funds raised by Sub Committees shall at all times remain under the control of the Executive Committee.
- d) All acts done by any meeting of the Executive Committee or of Sub Committees or by any person acting as a member of the Executive Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Executive Committee or any of them are disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the Executive Committee.
- e) A resolution in writing signed by all members of the Executive Committee, for the time being entitled to receive notice of a meeting of the Executive Committee shall be as valid and effectual as if it had been passed at a meeting of the Executive 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 Executive Committee.

14. ANNUAL GENERAL OR GENERAL MEETING

- a) The first general meeting shall be held at such time, not being less than one month nor more than three months after the end of the Association's financial year, and at such place as the Executive Committee may determine.
- b) The Annual General Meeting shall be held no less than one and no more than three months after the close of the financial year.
- c) The business to be transacted at every annual general meeting shall be;
 - i. the receiving of the Executive Committee 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.
 - ii. the receiving of the Auditor's report upon the books and accounts for the preceding financial year
 - iii. the election of Patron.
 - iv. the election of members of the Executive Committee
 - v. the appointment of an Auditor
 - vi. to deal with any other business of which due notice has been given

- vii. to deal with any other business that the meeting may approve being brought forward without notice provided that such business does not aim at the alteration or addition to the rules or recession thereof or removal of any office bearer from his/her office or member from membership of the Association.
- d) The Secretary shall convene a special general meeting;
 - i. when directed to do so by the Executive Committee
 - ii. on the requisition in writing signed by not less than one-third of the members presently on the Executive Committee or not less than the number of ordinary members of the Association which equals double the number of members presently on the Executive Committee plus one. Such requisition shall clearly state the reasons why such special general meeting is being convened and the nature of business to be transacted thereat
 - iii. on being given a notice in writing of an intention to appeal against the decision of the Executive Committee to terminate membership of any person
- e) At any general meeting the number of members required to constitute a quorum shall be double the number of members presently on the Executive Committee plus one.
- f) No business shall be transacted at any general meeting unless a quorum of members is present in person at the time when the meeting proceeds to business.
- g) 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 Executive Committee or the Association shall lapse. In other cases it shall stand adjourned to the same day in the next week at the same time and place as the Executive 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.
- h) 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. As foresaid it shall not be necessary to give any notice of any adjournment or of the business to be transacted at the adjourned meeting.
- i) The Secretary shall convene all general meetings of the Association by giving not less than fourteen days notice of any such meeting to the members of the Association.
- j) The manner by which such notice shall be given shall be determined by the Executive 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/her membership by the Executive Committee, shall be given in writing. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.
- k) Unless otherwise provided by these Rules, at every general meeting;
 - i. The President shall preside as Chairman or an appointed Chairperson, at every meeting of the Executive Committee. If there is no President, or if at any meeting he/she is not present within ten minutes after the time appointed for holding the meeting, the Vice-President shall be the Chairman or an appointed Chairperson, or if the Vice-President is not present at the meeting

- then the members may choose 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 the members present
 - iv. Each member of an affiliated/financial team shall be entitled to one vote and in the case of 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/her annual subscription is more than 2 (two) months 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 will be a secret ballot. The Chairman shall appoint two 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 resolution of the meeting at which the ballot was demanded.
 - vi. the Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Executive Committee Meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any Financial Ordinary or Life Member who previously applies to the Secretary for that inspection and on payment of a fee not less than \$10.00. For the purpose of ensuring the accuracy of the recording of such minutes, the minutes at every Executive Committee meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding Executive Committee meeting verifying their accuracy. Similarly, the minutes of every General Meeting shall be signed by the Chairman of the 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 the meeting or the Chairman of the next succeeding general meeting or annual general meeting.

15. BY LAWS

The Executive Committee may from time to time make, amend or repeal by-laws, not inconsistent with these Rules, for the internal management of the Association.

16. ALTERATION OF RULES

Subject to the provisions of the Association 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, provided that no such amendment, rescission or addition shall be valid unless the same shall have been previously submitted to and approved by the (Under Secretary, Department of Justice, Brisbane)

17. COMMON SEAL

- a) The Executive Committee shall provide for a common seal and for its safe custody. The Common Seal shall only be used by the authority of the Executive Committee and every instrument to which the seal is affixed shall be signed by a member of the Executive Committee or by some person appointed by the Executive Committee for the purpose.
- b) The fund of the Association shall be banked in the name of the Association in such bank as the Executive Committee may from time to time direct. Proper books of 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.
- c) All moneys shall be banked as soon as practicable after receipt thereof.
- d) All amounts of one hundred dollars or over shall be paid by cheque, signed by any two of the President, Secretary, Treasurer or other member authorised from time to time by the Executive Committee.
- e) Cheques shall be crossed "not negotiable" except those in payment of wages or allowances or petty cash recoupment's which may be open.
- f) The Treasurer under guidance of the Executive Committee shall determine the amount of petty cash which shall be kept on the imprest system.
- g) All expenditure shall be approved or ratified at an Executive Committee meeting.
- h) As soon as practicable after the end of the financial year the Treasurer shall cause to be prepared a statement containing particulars of;
 - i. the income and expenditure for the financial year just ended
 - ii. the assets and liabilities of all mortgages, charges and securities affecting the property of the Association at the close of that year
- i) 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.
- j) The income and property of the Association whensoever 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 him/her to the Association or 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 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.

18. DOCUMENTS

The Executive Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

19. FINANCIAL YEAR

The financial year of the Association shall close on the 30th of November in each year.

20. DISTRIBUTION OF SURPLUS ASSETS

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 members to an extent at least as great as is imposed on the Association under or by virtue of Rule 17 (J) such institution or institutions to be determined by the members of the Association.