



***MEREWETHER  
CARLTON  
RUGBY CLUB  
INCORPORATED***  
*ABN 57304193237*

***CONSTITUTION  
2024***



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## Part 1 – Preliminary

### 1.1 Name

The name of the incorporated association is *Merewether Carlton Rugby Club Incorporated*

### 1.2 Definitions

(1) In this constitution:

“**competition**” means the primary weekly football activity in which the club is engaged under the control of a body with which the club is affiliated.

“**club**” means the Merewether Carlton Rugby Club Incorporated.

“**Code**” or “**Code of Conduct**” means the Rugby Australia Code of Conduct adopted by Rugby Australia or its successor and applicable to the association from time to time.

“**Director-General**” means the Director-General of the Department of Services, Technology and Administration.

“**game**” means rugby union football.

“**ordinary committee member**” means a member of the committee who is not an office-bearer of the association.

“**the public officer**” is the president of the Club from time to time.

“**secretary**” means:

- (a) the person holding office under this constitution as secretary of the association, or
- (b) if no such person holds that office -the public officer of the association.

“**special general meeting**” means a general meeting of the association other than an annual general meeting.

“**the Act**” means the *Associations Incorporation Act 2009*.

“**the Regulation**” means the *Associations Incorporation Regulation 2016*.

(2) In this constitution:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the *Interpretation Act 1987* apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.



### **1.3 Objects of the Club**

The objects of the club are to;

- (1) foster, encourage and promote the game for both senior and junior players in Merewether and surrounding areas;
- (2) provide coaching, training, information, equipment and assistance, and establish and maintain an environment, to improve and develop the individual and team skills of the game;
- (3) provide support for the club members both past and present;
- (4) raise funds for the purposes of the club and its objects;
- (5) promote, maintain and preserve the tradition and spirit of the club and a fraternal and social spirit among the club membership;
- (6) to conduct club operations as a responsible member of our community; and
- (7) become a member of, or affiliate with, any other union, association or body with similar objects and abide by any terms governing any such membership or affiliation.

### **1.4 Club colours and badge**

The club competition playing uniform shall be:

Jumper - green

Shorts –green or white or green and white

Socks –green or green and white

PROVIDED THAT some other playing uniform may be adopted by the committee for the purpose of members engaging in;

- (a) non-competition events such as 7's or veterans' tournaments and tours, or
- (b) a competition in a year in which a significant Club anniversary occurs

The club badge will be the Merewether family coat of arms as appears on the facing page of this constitution and will be worn on the playing jumper and club clothing and will be displayed on all signage, posters, media, documents, publications and all promotional and club sponsors material relevant to the club.



## **Part 2 – Membership**

### **2.1. Membership Categories**

(1) A member is a person who has lodged an application for membership and the stipulated subscription with, and whose application is accepted by, the committee.

(2) A Life Member is a member who has been elected a Life Member in accordance with this or any preceding Constitution of the Club or the unincorporated Merewether Carlton Rugby Union Football Club and is entitled to the benefits of membership for his or her lifetime unless that membership is resigned or terminated by a special resolution.

### **2.2 Life Membership – Nomination and Election**

1(a) A member with a minimum of 10 years active service to the Club AND who has made an outstanding contribution to the club through that service may be considered for life membership. PROVIDED THAT 10 years' service is a minimum requirement, not a qualification for life membership.

(b) Any two financial members may nominate another member for life membership.

(c) The nomination must be in writing and must address all matters which the nominators argue qualifies the nominee for life membership.

(d) The nomination must be submitted to the secretary not later than 30 November of any year.

(e) If a majority of committee members determine that the nomination should be put to a general meeting the nomination must be put before the next annual meeting to be resolved in accordance with clause 2.2(2).

(f) Only two (2) nominees are eligible for election to life membership in any one year.

2(a) Election of Life Members will take place at a general meeting

(b) A copy of the nomination for life membership must be made available to all members present at the meeting who are eligible to vote.

(c) The vote must be by written ballot.

(d) The nomination must be supported by at least three-quarters of the votes cast.

### **2.3 Member Subscriptions**

The member subscriptions shall be determined by the committee not later than 31 January each year PROVIDED THAT a Life Member will not be required to pay an annual or any other subscription.

Member subscriptions are payable by 1 April in each year.

### **2.4 Members Year**

(1) Members shall be entitled to the benefits of membership for a period of 12 months from 1 April.

(2) Life Members are entitled to the benefits of membership for as long as they remain a Life Member.



## **2.5 Cessation of membership**

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

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the association, or
- (d) fails to pay the subscription fee under clause 2.3 within 3 months of the due date.

## **2.6 Membership entitlements not transferable**

A right, privilege or obligation which a person has by reason of being a member of the association is not capable of being transferred or transmitted to another person, and terminates on cessation of the person's membership.

## **2.7 Register of members**

(1) The secretary must maintain a register of members for each membership year specifying, for each person who is a member of the association, that member's:

- (a) Name;
- (b) telephone contact, postal/ residential and electronic address;
- (c) the date on which the person became a member; and
- (d) member category.

(2) A member must, on request be provided with a copy of that part of the Register which records members names and category and the date on which they became members.

(3) The information in (1)(b) above must not be made available for inspection and must not be made available to other members or any other person without the written consent of the member.

(4) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:

- (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event or material relating to the association, or
- (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

## **2.8 Resignation of membership**

(1) A member, including a life member, of the association may resign from membership of the association by giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

(2) In every case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **2.9 Members' liabilities**

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by clause 2.3.



## **2.10 Resolution of disputes**

- (1) Where there is a dispute between a member and another member (in their capacity as members) of the association or a dispute between a member or members and the association, the relevant parties must meet and attempt to resolve the dispute within 14 days after the dispute comes to the attention of all those parties.
- (2) If the dispute is not resolved under clause (1) of this clause the matter must be referred for determination under and in accordance with Clause 4.

## **3 Application for Membership**

- (1) An application for membership of the association:
  - (a) must be made by a member of the association in writing in the form determined by the committee from time to time, and
  - (b) must be lodged with the secretary of the association.
- (2) As soon as practicable after receiving an application for membership, the secretary must refer the nomination to the committee which is to determine whether to approve or to reject the nomination.
- (3) in the event that the committee determines to reject the application the secretary must notify the applicant in writing
- (4) Where an application is accepted by the committee the secretary must, on payment of the prescribed fee, enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the nominee becomes a member of the association.

## **4 Disciplining of members**

- (1) A complaint may be made to the committee by any person that a member or other person subject to the Code of Conduct:
  - a) has refused or neglected to comply with one or more provisions of this constitution;
  - b) has acted in a manner prejudicial to the interests of the association;
  - c) has brought the club into disrepute;
  - d) has acted in a manner which precludes or restricts or is prejudicial to the association meeting and or maintaining its objects; or
  - e) is in contravention of the Code of Conduct:
- (2) All complaints made under clause 4(1) shall be determined under the processes and procedures in the Code of Conduct and notwithstanding that the matter the subject of the complaint may fall wholly or in part outside the scope of application of the Code of Conduct itself.

## **5. Right of appeal of disciplined member**

- (1) A member may appeal to the association in general meeting against a resolution of the committee under clause 4(4) within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under subclause (1), the secretary must notify the committee which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the association convened under subclause (3):
  - (a) no business other than the question of the appeal is to be transacted;
  - (b) the committee and the member must be given the opportunity to state their



- respective cases orally or in writing, or both; and
- (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) The appeal is to be determined by a simple majority of votes cast by members of the association attending and voting.

### **Part 3 – The committee**

#### **6. Powers of the committee**

- (1) Subject to the Act, the Regulation and this constitution [including, but not limited to clause 6 (2)] and to any resolution passed by the association in general meeting, the committee:
- (a) is to control and manage the affairs of the association;
  - (b) may exercise all such functions as may be exercised by the association, other than those functions that are required by this constitution to be exercised by a general meeting of members of the association; and
  - (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.
- (2) The committee has no power or function to:
- (a) make any expenditure not provided for in the budget approved under clause 17 (2)(e); or
  - (b) enter into any contract, arrangement or understanding; or
  - (c) create any other liability of the association; which exceeds in value an amount of \$50,000.00 (or such other amount as determined by a resolution passed by the association in general meeting by a simple majority of votes) and adjusted annually as at 31 December by applying the Consumer Price Index (All Groups Sydney) without the approval of a resolution passed by the association in general meeting by a simple majority of votes.

#### **7. Composition and membership of committee**

- (1) The committee is to consist of
  - (a) the office-bearers of the association, and
  - (b) 8 ordinary members each of whom [except for the two Club Captains and the Junior Liaison Officer referred to in Clause 8(8)], to be elected at the annual general meeting of the association under clause 16.
- (2) The total number of committee members is to be up to 11.
- (3) The office-bearers of the association are as follows:
  - (a) the President,
  - (b) the Treasure, and
  - (c) the Secretary.
- (4) A committee member may hold up to 2 office-bearer positions.





- (5) Each member of the committee is, subject to this constitution and, except for the club captain and junior liaison officer, to hold office for a term in accordance with clause 7A.
- (6) There is no maximum number of consecutive terms for which a committee member may hold office.

#### **7A Terms of appointment of Committee Members**

- (1) Committee members (other than the two club captains and the junior liaison officer) elected under clause 7 shall be elected for a term of two (2) years. Subject to provisions in this Constitution relating to early retirement or removal of committee members, elected committee Members shall, subject to clause 7(2), remain in office from the conclusion of the annual General Meeting at which the election occurred until the conclusion of the second annual General Meeting following.
- (2) Four (4) elected ordinary committee members (other than the two (2) Club Captains and the Junior Liaison officer) shall retire in each year until after (2) years all those original elected ordinary members have retired after which those elected ordinary members or their replacements who first retired shall retire and so on.
- (3) The sequence of retirements under clause 7A (2) to ensure rotational terms, shall be determined by the Board. If the Board cannot agree it will be determined by lot.

#### **8. Election of committee members**

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary committee members:
  - a. must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
  - b. must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the chairperson may determine.
- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the association must be a member of the association.
- (8) There are to be two (2) Club Captains to be elected each year by a meeting of player members in that year and will hold office as ordinary



members of committee until the election of Club Captains in the following year.

- (9) The junior liaison officer is to be appointed by the committee which is to be represented by those persons elected at the annual general meeting.

### **9. Secretary**

- (1) The secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the secretary to keep minutes of:
- (a) all appointments of office-bearers and members of the committee;
  - (b) the names of members of the committee present at a committee meeting or a general meeting; and
  - (c) all proceedings at committee meetings and general meetings.
  - (d) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

### **10. Treasurer**

It is the duty of the treasurer of the association to ensure:

- (a) that all money due to the association is collected and received and that all payments authorised by the association are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.

### **11. Casual vacancies**

- (1) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- (2) A casual vacancy in the office of a member of the committee occurs if the member:
- (a) dies, or
  - (b) ceases to be a member of the association, or
  - (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
  - (d) resigns office by notice in writing given to the secretary, or
  - (e) is removed from office under clause 12, or
  - (f) becomes a mentally incapacitated person, or
  - (g) is absent without the consent of the committee from 3 consecutive meetings of the committee.

### **12. Removal of committee members**

- (1) The association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable

length) and requests that the representations be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

### **13. Committee meetings and quorum**

- (1) The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 5 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the committee:
  - (a) the president or, in the president's absence, the secretary is to preside, or
  - (b) if the president and secretary are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

### **14. Delegation by committee to sub-committee**

- (1) The committee may delegate to one or more sub-committees (consisting of such member or members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified, other than:
  - (a) this power of delegation, and
  - (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified.
- (4) Despite any delegation under this clause, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may revoke wholly or in part any delegation under this clause.
- (7) A sub-committee may meet and adjourn as it thinks proper.

### **15. Voting and decisions**



- (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to clause 13(5), the committee may act despite any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

### **15A. Circular Resolutions**

1. The committee members may pass a circular resolution without a meeting being held.
2. A circular resolution is passed if the majority of committee members entitled to vote on the resolution sign or otherwise agree to the resolution in the manner set out in subclause 3 or 4 of this clause.
3. Each director may sign:
  - A. a single document setting out the resolution and containing a statement that they agree to the resolution; or
  - B. separate copies of that document, as long as the wording of the resolution is the same in each copy.
4. The President or the Secretary may send a circular resolution by email to the committee members and the committee members may agree to the resolution by sending a reply email to that effect.
5. A circular resolution is passed when the last committee member to achieve a majority signs or otherwise agrees to the resolution in the manner set out in clause 3 or clause 4 of this clause.”

## **Part 4 – General meetings**

### **16. Annual general meetings--holding of**

The association must hold its annual general meetings:

- (a) within 6 months after the close of the association's financial year, or
- (b) within such later time as may be allowed by the Director-General or prescribed by Regulation.

### **17. Annual general meetings--calling of and business at**

- (1) The annual general meeting of the association is, subject to the Act and to clause 16, to be convened on such date and at such place and time as the committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
  - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
  - (b) to receive from the committee reports on the activities of the association during the last preceding financial year;
  - (c) to elect office-bearers of the association and ordinary committee members;
  - (d) to receive and consider a financial statement or report required to be submitted to

members under the Act which statements and/or reports must have been audited by a qualified auditor appointed by the committee; and  
(e) to approve a budget for the following year.

(3) An annual general meeting must be specified as such in the notice convening it.

### **18. Special general meetings--calling of**

(1) The committee may, whenever it thinks fit, convene a special general meeting of the association.

(2) The committee must, on the requisition in writing of at least 25 members, convene a special general meeting of the association.

(3) A requisition of members for a special general meeting:

- (a) must state the purpose or purposes of the meeting;
- (b) must be signed by the members making the requisition;
- (c) must be lodged with the secretary; and
- (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

(4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

(5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

### **19. Notice**

(1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

(2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.

(3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 17(2).

(4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

### **20. Quorum for general meetings**

(1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.

(2) Twenty-five (25) members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.



(3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:

- (a) if convened on the requisition of members, is to be dissolved, and
- (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

(4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) are to constitute a quorum.

### **21. Presiding member**

(1) The president or, in the president's absence, the secretary, is to preside as chairperson at each general meeting of the association.

(2) If the president and secretary are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

### **22. Adjournment**

(1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

(3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

### **23. Making of decisions**

(1) A question arising at a general meeting of the association is to be determined by either:

- (a) a show of hands, or
- (b) if required by this constitution or on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot--a written ballot.

(2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

(3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

## **24. Special resolutions**

A special resolution may only be passed by the association in accordance with the following:

- (1) A resolution is passed by an association as a "**special resolution**":
  - (a) at a meeting of the association of which notice has been given to its members no later than 21 days before the date on which the meeting is held, or
  - (b) in such other manner as the Director-General may direct,

if it is supported by at least three-quarters of the votes cast by members of the association who, under the association's constitution, are entitled to vote on the proposed resolution.

- (2) A notice referred to in subsection (1) (a) must include the terms of the resolution and a statement to the effect that the resolution is intended to be passed as a special resolution.

## **25. Voting**

- (1) On any question arising at a general meeting of the association a member has one vote only.
- (2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the association has been paid.
- (4) Proxy voting must not be undertaken at or in respect of a general meeting.
- (5) The association may hold a postal or electronic ballot (as the committee determines) to determine any issue or proposal (other than an appeal under clause 5).
- (6) A postal or electronic ballot is to be conducted in accordance with Schedule 3 to the Regulation.
- (7) A member is not entitled to vote at any general meeting of the association if the member is under 18 years of age

## **Part 5 – Miscellaneous**

### **26. Insurance**

The association may effect and maintain insurance.

### **27. Funds--source**

- (1) The funds of the association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

### **28. Funds--management**

- (1) Subject to any resolution passed by the association in general meeting and to clause 6(2), the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.
  - (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the association, being members or employees authorised to do so by the committee.

### **29. Change of name, objects and constitution**

An application to the Director-General for registration of a change in the association's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a committee member.

### **30. Custody of books etc**

Except as otherwise provided by this constitution, the public officer must keep the custody or under his or her control all records, books and other documents relating to the association.

### **31. Inspection of books etc**

(1) The following documents must be open to inspection, free of charge, by a member of the association at any reasonable hour:

- (a) records, books and other financial documents of the association,
- (b) this constitution,
- (c) minutes of all committee meetings and general meetings of the association.

(2) A member of the association may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.

### **32. Service of notices**

(1) For the purpose of this constitution, a notice may be served on or given to a person:

- (a) by delivering it to the person personally, or
- (b) by sending it by pre-paid post to the address of the person, or
- (c) by sending it by email transmission or some other form of electronic transmission to an address specified on the membership form or by the person for giving or serving the notice.

(2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:

- (a) in the case of a notice given or served personally, on the date on which it is received by the addressee;
- (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post; and
- (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

### **33. Financial year**

The financial year of the association commences on 1 January and ends on 31 December each year.

### **34. Association is non-profit**

Subject to the Act and the Regulation, the association must apply its funds and assets solely in pursuance of the objects of the association and must not conduct its affairs so as to provide a pecuniary gain for any of its members.

### **35 Distribution of property on winding up of association**

In a winding, up of the association, the surplus property of the association is to be distributed in accordance with a special resolution of the association.