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# Rules

*Doncaster & Templestowe Badminton Association Inc*

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## ASSOCIATION INCORPORATION ACT 1981

### DONCASTER & TEMPLESTOWE BADMINTON ASSOCIATION Inc.

#### RULES

#### 1. NAME

The Name of the Association is the **Doncaster & Templestowe Badminton Association Inc.** (hereinafter referred to as "the Association") being an association incorporated pursuant to the *Associations Incorporations Act 1981* (Vic) as amended from time to time.

#### ADOPTION - HISTORY

These rules were adopted at the Extraordinary General Meeting held on 29 March 1995, reaffirmed at an Extraordinary General Meeting held on 28 July 2000, amended 28 January 2002 to conform to the *Associations Incorporation Act* amendments of 1998, and amended at an Extraordinary General Meeting held on Friday 4 August 2006.

#### 2. DEFINITIONS

2.1 In these Rules, unless the contrary intention appears:

- (a) "**Act**" means the *Associations Incorporation Act 1981* (Vic) including any subsequent amendments;
- (b) "**Association**" means the "Doncaster & Templestowe Badminton Association Inc.";
- (c) "**Committee**" means the committee of management of the Association;
- (d) "**Committee Officer**" means an office holder elected by the Committee in accordance with these Rules;
- (e) "**Elected Office Holder**" means an office holder elected by the Association Members at an Annual General Meeting;
- (f) "**Financial Year**" means the year from 1 July in one calendar year to 30 June in the succeeding calendar year;
- (g) "**General Meeting**" means a general meeting, either Annual General, or Extraordinary General meeting of Members convened in accordance with the Rules of the Association;
- (h) "**Junior Member**" means a person who has become a member under clause 4.1 hereof;
- (i) "**Member**" means a member of the Association;
- (j) "**Membership Year**" means the year from 1 January in any calendar year to 31 December in the same calendar year;

- (k) **"New Member"** means a person who has never been a Registered financial member of the Association or whose membership has lapsed for a period of twelve (12) months since the last membership date;
- (l) **"Ordinary Resolution"** means a resolution of the Committee passed in accordance with these Rules ;
- (m) **"Public Officer"** means the Committee Member appointed to that position by the Committee;
- (n) **"Register"** means the Register of Members of the Association maintained in accordance with these Rules;
- (o) **"Registrar"** means the Registrar of Incorporated Associations;
- (p) **"Regulations"** means the regulations under the Act;
- (q) **"Rules"** means these Rules which were adopted by Special Resolution at an Extraordinary General Meeting of the Association held on 4 August 2006, and reaffirmed at a Meeting held on 29 September 2006, in accordance with the requirements of these Rules and the Act;
- (r) **"Special Resolution"** means a resolution of the Committee passed in accordance with the provisions of these Rules.

2.2 In these Rules, a reference to the Secretary of the Association is a reference:

- (a) where a person holds office under these Rules as Secretary of the Association - to that person; and
- (b) in any other case, to the Public Officer of the Association.

2.3 Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the *Interpretation of Legislation Act 1984* or any subsequent replacement act.

2.4 In these Rules, words imparting the masculine gender shall be deemed to include the female gender; and words imparting plural shall be deemed to include singular unless it shall appear from the context that the contrary is intended.

### **3. MEMBERSHIP, ENTRY FEES, SUBSCRIPTIONS AND PLAYING FEES**

3.1 Membership of the Association shall be open to all persons:

- (a) who are interested in Badminton and the welfare of the Association;
- (b) who agree to be bound by these Rules;
- (c) who pay such entrance fees and subscriptions as determined from time to time by the Committee;

- (d) who have the necessary playing clearances from any former badminton association; and
  - (e) who complete and forward to the Membership Secretary such annual registration forms as is determined from time to time by the Committee.
- 3.2 The annual player registration card shall be completed by each Member or prospective member; and shall include the person's name, gender, address, date of birth, telephone number if any, and declaration that they will be bound by these Rules.
- 3.3 An application of a person for membership of the Association must-
- (a) be made in writing in the form approved from time to time by the Committee; and
  - (b) be lodged with the Committee.
- 3.4 The Committee must determine whether to approve or reject the application and advise the applicant of the outcome within twenty eight (28) days of receipt and may do so in its absolute discretion.
- 3.5 The Secretary must, within twenty eight (28) days after receipt of the entrance fee or annual registration fee from a successful applicant, enter the applicant's name in the register of members.
- 3.6 An applicant for membership becomes a Member and is entitled to exercise the rights of membership when his or her name is entered in the register of members.

#### **4. JUNIOR MEMBERSHIP**

- 4.1 Any person who has attained the age of twelve (12) years and has not yet attained the age of eighteen (18) years may apply for Junior Membership.
- 4.2 Application for Junior Membership must be made by completing such application and indemnity forms as determined and approved by the Committee, which must be signed by the applicant Junior Member's parent or guardian and accompanied by such Junior Membership entrance and membership fees as determined by the Committee.
- 4.3 The Committee shall, in the absolute discretion, decide whether to accept or reject an application for Junior Membership, and to advise the applicant accordingly, within twenty eight (28) days of receipt of such application.
- 4.4 An individual accepted into Junior Membership by the Committee shall not be entitled to vote in or attend meetings of Members or stand for election to the Committee.
- 4.5 A Junior Member shall become a Member of the Association on the 1<sup>st</sup> day of January immediately following his or her eighteenth (18th) birthday upon payment of the relevant entrance fee or annual registration fee as determined by the Committee.

## **5. LIFE MEMBERSHIP**

- 5.1 Life Membership may be conferred on Members who have made outstanding contributions to Badminton and/or the Association.
- 5.2 No more than two (2) Members may be elevated to Life Membership in any year.
- 5.3 Candidates for Life Membership are expected to have ten (10) years service to the Association at the time of nomination.
- 5.4 The proposer and seconder of a candidate for Life Membership shall prepare a Statement of Grounds for Elevation to Life Membership; the proposer and seconder shall also prepare a Citation for publication, should Life Membership be granted.
- 5.5 The Statement of Grounds for Elevation to Life Membership and the Citation, as far as is practicable, shall be prepared without the knowledge of the candidate Life Member.
- 5.6 Any Member of the Association may act as proposer and seconder.
- 5.7 If the candidate for elevation is not a member of the Committee then:

- (a) The Statement and Citation shall be submitted the President or Secretary, for the Committee to consider and determine whether Life Membership shall be granted or not;

If the candidate is a member of the Committee then:

- (b) The Statement and Citation shall be submitted to the President; or if the President is a candidate then the Secretary; or if both the President and Secretary are candidates, then to a Committee member who is not a candidate. The recipient Committee member of the Statement and citation shall call a meeting of those Committee members not candidates to consider and determine, in the absence of the candidates, and without the knowledge of the candidates, whether Life Membership shall be granted or not.
- 5.8 On elevation of a Member or Members to Life Membership, the Committee shall make the award at an Annual General Meeting, or such other occasion as the Committee may determine, and shall publish the Citation amongst Members.
  - 5.9 Life Members of the Association are required to pay a minimum annual membership fee of one dollar (\$1.00).

## **6. SUSPENSION, EXPULSION**

- 6.1 The Committee shall have the right to suspend or expel any Member by Special Resolution if, in the opinion of the Committee there is sufficient reason for such suspension or expulsion.
- 6.2 The Committee shall not be under any obligation to disclose to the Member concerned or to any other person the source of any information giving rise to its deliberations and determination.

- 6.3 Any person suspended or expelled shall have the right to appeal against their suspension or expulsion; such appeal shall be made in writing to the Committee.
- 6.4 Within two (2) weeks of receipt of the appeal the Committee shall, in its sole discretion, determine by ordinary resolution whether the suspension or expulsion is to continue or be waived, and shall inform the affected Member within forty eight (48) hours of its decision.
- 6.5 A Member who disputes their suspension or expulsion by the Committee shall be entitled to refer to their dispute to Mediation ("the dispute"). A person appointed by the Dispute Settlement Centre of Victoria (Department of Justice) shall attempt to resolve the dispute by mediation.
- 6.6 If the dispute is unable to be resolved by mediation, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.
- 6.7 The Committee may vary the duration of the suspension or substitute suspension for expulsion as it sees fit. .
- 6.8 During any period of suspension of a Member he or she shall be deemed not to be a Member of the Association, but on the expiration of such period their rights and privileges shall *ipso facto* be restored.

## **7. REINSTATEMENT OF MEMBERSHIP**

Any person who has been expelled from the Association may at any time apply for reinstatement, and that person may be reinstated by the Committee upon such terms and conditions as the Committee may deem fit: but the Committee shall not be compelled to reinstate any person as a Member and may refuse to assign any reason for its decision.

## **8. RESIGNATION OF MEMBERS, CESSATION OF MEMBERSHIP**

- 8.1 Any Member who desires to resign from the Association shall forward their written resignation to the Committee, and on payment of any outstanding fees, subscriptions or other dues, the Committee shall accept the resignation and make the necessary entries to the membership register.
- 8.2 Any Member who has not paid the annual membership fee set by the Committee within thirty (30) days of the due date without due cause may be sent a letter by the Committee advising them that without the receipt of their annual membership fee within thirty (30) days of the date of the letter they may be deemed to have indicated their desire to resign and may be treated accordingly.
- 8.3 Any Member who has neither paid their Annual Subscription nor taken part in any activities of the Association by 29 June in any calendar year may be deemed to have indicated their desire to resign and may be treated accordingly.

## **9. DISPUTES AND MEDIATION**

- 9.1 The grievance procedure set out in this Rule applies to disputes under these Rules between:

- (a) a Member and another Member; or
  - (b) a Member and the Association.
- 9.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within fourteen (14) days after the dispute comes to the attention of all of the parties.
- 9.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within ten (10) days, hold a meeting in the presence of a mediator.
- 9.4 The mediator must be:
- (a) a person chosen by agreement between the parties: or
  - (b) in the absence of agreement:
    - (i) in the case of a dispute between a Member and another Member, a person appointed by the Committee of the Association; or
    - (ii) in the case of a dispute between a Member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- 9.5 A Member of the Association can be a mediator except for a dispute under Rule 6.
- 9.6 The mediator cannot be a Member who is party to the dispute.
- 9.7 Parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 9.8 The mediator, in conducting the mediation, must:
- (a) give the parties to the mediation process every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 9.9 The mediator must not determine the dispute.
- 9.10 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.

## **10. MANAGEMENT**

The management and control of the Association shall be vested in the Committee, but the Committee shall not act contrary to, any decision reached at an Annual General Meeting or at an Extraordinary General Meeting.

## **11. ELECTION OF COMMITTEE AND OFFICE HOLDERS**

11.1 The Association at its Annual General Meeting each year shall elect a Committee comprising:

- (a) a President;
- (b) a Vice-President;
- (c) a Treasurer;
- (d) a Secretary -

each of whom shall comprise the Office Holders of the Committee; and

- (e) not less than two (2), nor more than four (4) Ordinary Committee Members.

11.2 At its first Committee meeting after each Annual General Meeting the Committee shall elect a Public Officer, who shall be a member of the Committee, and who may also be the Secretary or any other Office Holder of the Association.

11.3 At any time the Committee may elect a member of the Committee, including a Office Holder, to perform such other function on the Committee in such capacity as the Committee determines from time to time.

11.4 At any time the Committee may elect Assistant Officers to Officers elected in accordance with these Rules . These Assistant Officers may be elected from Committee members or non-Committee members as the Committee may determine.

11.5 At any time the Committee may restructure the Officers and Assistant Officers who have been elected by the Committee, and may wholly at its discretion create new positions or eliminate old positions.

## **12. NOMINATION AND PROCEDURE FOR ELECTION OF COMMITTEE MEMBERS INCLUDING OFFICE HOLDERS**

12.1 Members of the Association who are registered on the Register of Members as at 30 June in the relevant calendar year, and who have paid their entrance fee or annual registration fee in full may be nominated for election to the Committee as either an Office Holder or an Ordinary Committee Member at the Annual General Meeting.

12.2 Nominations may be in writing; and if so shall be signed by the proposer, the seconder and the nominee and shall be forwarded to the Secretary.

12.3 The Secretary shall place a list of nominations received on the notice board in the clubrooms and up-date the list from week to week as further nominations are received.

- 12.4 Nominations may be made orally when called for by the President at the Annual General Meeting, and shall be accepted only if the nominee is present and signifies his or her assent.
- 12.5 Nominations for a particular Office, or as an Ordinary Committee Member, shall remain open until declared closed by the President at the Annual General Meeting after having first made a final call for nominations for that particular Office or the Committee.
- 12.6 If the number of candidates nominated for election to a particular Office, or as Ordinary Committee Members, does not exceed the number of vacancies then that person or those persons shall be declared duly elected.
- 12.7 If the number of candidates nominated for election to a particular Office, or as Ordinary Committee Members, exceeds the number of vacancies then an exhaustive ballot shall be conducted at the Annual General Meeting.
- 12.8 In the event of any Office, or position of Ordinary Committee Member, not being filled, then the Committee may fill the vacancy.

### **13. TENURE OF OFFICE**

- 13.1 Officer Holders and Ordinary Committee Members elected at an Annual General Meeting shall hold office from the Annual General Meeting at which they were elected, until the election at the next Annual General Meeting of the Association and are eligible for re-election.
- 13.2 Committee Officers elected by the Committee shall hold office from the Committee meeting at which they were elected, until the first occurring Committee meeting after the next Annual General Meeting of the Association and are eligible for re-election provided they have been re-elected to the Committee.
- 13.3 Assistant Officers elected by the Committee shall hold office from the Committee meeting at which they were elected, until the first occurring Committee meeting after the next Annual General Meeting of the Association and are eligible for re-election.

### **14. VACATION OF OFFICE**

Any Office Holder or Ordinary Committee Member shall vacate their Office or position on the Committee if he or she ceases to be a Member of the Association, or fails to attend three (3) consecutive Committee Meetings without prior leave of absence.

### **15. LEAVE OF ABSENCE**

The Committee may grant leave of absence to an Officer Holder or Ordinary Committee Member for a period not exceeding four (4) months.

## **16. DUTIES AND POWERS OF THE COMMITTEE INCLUDING OFFICE HOLDERS**

- 16.1 The Committee shall, subject to the Rules and By-laws of the Association, control the offices and business of the Association and shall amongst other things have the power:
- (a) to act on behalf of the Association for all purposes permitted by the Association's Statement of Purposes;
  - (b) to do all things provided for in the Association's Rules;
  - (c) to make, alter, amend or rescind By-laws;
  - (d) to select times and places of meetings and prepare agenda therefore;
  - (e) to appoint, or dissolve sub-committees;
  - (f) to appoint, change, or remove supervisors;
  - (g) to appoint, change or remove coaches and trainers;
  - (h) to fill casual vacancies of the Committee;
  - (i) to make recommendations in relation to all matters affecting the interests of the Association.
- 16.2 The Committee shall, before the end of each calendar year (and at six monthly intervals, if necessary) determine the Association's fees including: Membership Fees, Annual Subscriptions, Team and Playing fees. The Committee shall ensure that these fees are shown on the Annual Registration Application Card or otherwise communicated to Members and prospective members.

## **17. COMMITTEE MEETINGS**

- 17.1 The Committee shall meet not less than six (6) times each year.
- 17.2 Committee meetings shall be called by the Secretary on the advice of the President, or at the request of three or more Committee members.
- 17.3 Five (5) members of the Committee present in person shall constitute a quorum.
- 17.4 The chairman of each Committee meeting shall be the President; or in the absence of the President, the Vice-President; or in the absence of both the President and the Vice-President then a Committee member elected from the Committee members present.
- 17.5 By invitation, any Member or any other person may be present for part or all of any Committee meeting; either as observer or participant as the Committee determines; but no person not a member of the Committee shall have the right to vote on any motion before the Committee.
- 17.6 The Secretary, or Minute Secretary if one is appointed, shall keep minutes of each meeting. At a succeeding meeting the minutes shall be confirmed, subject to any agreed corrections; and the copy of the minutes in the

minute book shall be signed, dated and noted as confirmed by the Chairman.

## **18. ORDINARY RESOLUTIONS OF THE COMMITTEE**

For all Ordinary Motions before the Committee each Committee member shall have one vote; and in the event of an equality of votes the Chairman shall have a second or casting vote.

## **19. SPECIAL RESOLUTIONS OF THE COMMITTEE**

19.1 For all Special Resolutions of the Committee each member of the Committee personally present shall have one (1) vote; and the motion shall be passed if the number voting is:

- (a) three (3) affirmative when five (5) Committee members are at the meeting;
- (b) four (4) affirmative when six (6) Committee members are at the meeting;
- (c) four (4) affirmative when seven (7) Committee members are at the meeting;
- (d) five (5) affirmative when eight (8) Committee members are at the meeting.

19.2 The number of votes for, against, or abstaining shall be recorded in the minutes for each Special Resolution voted on by the Committee.

## **20. REPORTING BY THE COMMITTEE**

20.1 Each year the Committee shall report to the Members of the Association at the Annual General Meeting by presenting to the meeting:

- (a) the Report of the Committee for the previous financial year. This report should *inter alia* summarise the year's considerations and determinations by the Committee, the achievements of the Association;
- (b) the Financial Report of the Association for the previous Financial Year; the report being prepared and audited in accordance with the requirements of the Act;
- (c) the Membership Report, showing the number of Members of the Association in the Register as at 30 June in the calendar year of the Annual General Meeting.

## **21. GENERAL MEETINGS**

21.1 The Annual General Meeting of the Association shall be held as soon as practicable after the Association's Financial Year and no later than five months after the end of the Association's Financial Year, at a date, time and venue determined by the Committee.

- 21.2 Each eligible voting Member of the Association (as determined pursuant to Rule 21.5) shall be given notice of each Annual General Meeting, either by hand, by e-mail if the address is recorded in the Members' Register, or posted to the address shown in the Members' Register to reach the Member not less than fourteen days prior to the meeting. The notice of meeting given to each Member shall be accompanied by a proxy form; and by other documents including a nomination form, Committee report, Treasurer's report as relevant and as required under the Act.
- 21.3 The quorum for an Annual General Meeting or Extraordinary General Meeting shall be five (5) Members personally present, and no business shall be conducted unless the requisite quorum is present.
- 21.4 In the absence of a quorum within thirty (30) minutes of the notified commencement time of an Annual General Meeting, the Chairman may adjourn the meeting to the same day in the next week at the same time and place, or to such other date (not being more than twenty-one (21) days from the adjourned meeting), time and place as the Chairman may appoint. At any such adjourned meeting those members present shall be deemed a quorum and may transact the business for which the meeting was called.
- 21.5 Members of the Association who are registered on the Membership Register at June 30 in the calendar year of the Annual General Meeting and who have paid their membership subscription in full shall be eligible to vote for the purposes of the Association's Annual General Meeting.
- 21.6 A Member eligible to vote at an Annual General Meeting in accordance with this Rule 21 may appoint by notice in writing a Member who is eligible to vote at the Annual General meeting as their proxy.
- 21.7 Any motion submitted to a meeting shall be decided in the first instance by a show of hands, and in the event of an equality of votes the Chairman shall have, both on a show of hands and in a poll or secret ballot, a casting vote in addition to the vote to which he may be entitled as a Member.
- 21.8 On a vote by show of hands no count shall be made of proxy votes.
- 21.9 Any person being a holder of a proxy, or any five (5) Members not holding proxies may demand a poll or secret ballot, and in that case the votes of all Members present, and of all proxies shall be counted, and the numbers of votes for, against, or abstaining shall be recorded in the minutes.
- 21.10 A vote by proxy shall only be valid if the serially numbered form issued by the Committee is signed and dated by the Member and includes the following information completed in full:
- (a) Full Name of Member;
  - (b) Residential Address;
  - (c) Date of Birth; and
  - (d) Membership Number, if available.

21.11 All duly completed proxy forms shall be forwarded to the returning officer (or as instructed by the Committee) within 48 hours of the date specified for the Annual General Meeting in order that the Committee be able to verify the proxy votes prior to the Annual General Meeting.

## **22. BUSINESS AT ANNUAL GENERAL MEETINGS**

22.1 The business of the Annual General Meeting shall be:

- (a) to confirm the minutes of the last preceding Annual General Meeting and of any Extraordinary General Meeting held since that meeting; subject to any agreed corrections;
- (b) to receive the report of the Committee for the previous Financial Year;
- (c) to receive the Financial Report for the immediately preceding Financial Year;
- (d) to elect Office Holders and Committee;
- (e) to consider and vote on any motion listed on the Notice of Annual General Meeting; and
- (f) to appoint an auditor.

22.2 With prior notification to the Committee, Members of the Association may present any motion for inclusion in the Notice and Agenda for an Annual General Meeting provided such notice and motion are:

- (a) in writing, signed by proposer and seconder.
- (b) Sent to the Secretary not less than twenty-one (21) days before the time fixed for the Annual General Meeting.

22.3 The Chairman at an Annual General Meeting may grant leave to a member of the Association to bring before the meeting any business within the objects or related to the affairs of the Association for discussion; but no motion may be accepted by the Chairman except that it shall have been on the printed notice paper of the meeting.

## **23. BUSINESS AT AN EXTRAORDINARY GENERAL MEETING**

23.1 The Committee may by ordinary motion convene an Extraordinary Meeting to be held at a date, time and place determined by the Committee.

23.2 The Committee shall, on the requisition in writing of Members as specified in Rule 23.11 and representing not less than five per cent (5%) of the total number of Members, convene an Extraordinary General Meeting.

23.3 The requisition for an Extraordinary General Meeting shall state, the objects of the meeting and shall be signed by the Members making the requisition and sent to the address of the Secretary and may consist of several documents in like form, each signed by one (1) or more of the Members making the requisition.

- 23.4 If the Committee does not cause an Extraordinary General Meeting to be held within one (1) month after the date on which the requisition is sent to the address of the Secretary, then the Members making the requisition, or any of them, may convene an Extraordinary General Meeting to be held not later than three (3) months after that date.
- 23.5 An Extraordinary General Meeting convened by Members in accordance with these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee; and all reasonable expenses incurred in convening the Extraordinary General Meeting shall be refunded by the Association to the persons incurring the expense.
- 23.6 Each Member of the Association as specified pursuant to Rule 23.10 shall be given notice of each Extraordinary General Meeting; either by hand, by e-mail if the address is recorded in the Members' Register, or posted to the address shown in the Members' Register to reach the Member not less than twenty one (21) days prior to the meeting.
- 23.7 The notice and agenda for the Extraordinary General Meeting shall include, in full, all motions for consideration at the meeting.
- 23.8 The business of an Extraordinary General Meeting shall be the consideration and voting on any motion listed on the Notice on the Extraordinary General Meeting.
- 23.9 The Chairman at an Extraordinary General Meeting may grant leave to a member of the Association to bring before the meeting any business within the objects, or related to the affairs of the Association for discussion; but no motion may be accepted by the Chairman except that it, shall have been on the printed notice paper of the meeting.
- 23.10 Members of the Association who have been registered in the Membership Register for a period exceeding three months and who have paid their membership subscription in full shall be eligible to vote for the purposes of an Extraordinary General Meeting convened under Rule 23.1 or 23.2.
- 23.11 Members of the Association who have been registered in the Membership Register for a period exceeding six months and who have paid their membership subscription in full shall be eligible to requisition an Extraordinary General Meeting in accordance with these Rules.

## **24. SUB-COMMITTEES**

- 24.1 The President shall ex-officio be a member of all sub-committees.
- 24.2 All sub-committees shall report to the Committee in such manner as the Committee shall deem from time

## **25. MONIES, BOOKS OF ACCOUNT**

- 25.1 The funds of the Association shall be derived from entrance fees, annual subscriptions, playing fees, hire fees, donations and such other sources as the Committee determines.

- 25.2 The Treasurer shall, subject to the directions of the Committee:
- (a) receive and take charge of all monies of the Association and pay same into accounts of the Association and attend to investments;
  - (b) make all payments authorised by the Committee;
  - (c) submit accounts of receipts and payments to the Committee;
  - (d) submit such accounts and documents as are required to the Auditor for the auditing and preparation of the Association's annual financial report to the Members at the Annual General Meeting;
  - (e) be responsible for the safe custody of all books of account, supporting documents and securities;
  - (f) make all books of account, supporting documents and securities available for inspection by the Members at a reasonable time and place.
- 25.3 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two (2) authorised members of the Committee.

## **26. MEMBERSHIP REGISTER**

- 26.1 The Membership Secretary shall, subject to the directions of the Committee:
- (a) keep and maintain a Register of Members in which shall be entered the full name, date of birth, residential address, telephone number (if any) and note of receipt of Annual Subscription; all entries and changes in the Register shall be dated.
  - (b) submit membership reports to the Committee, as required.
  - (c) prepare an annual Membership Report for presentation to the Members at the Annual General Meeting, either as a separate report, or as part of the Committee Report.
  - (d) make the Register available for inspection by the Members at a reasonable time and place.

## **27. COMMON SEAL**

- 27.1 The Common Seal of the Association shall, subject to the directions of the Committee, be kept in the custody of the Secretary.
- 27.2 The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by two (2) members of the Committee.
- 27.3 Every use of the seal shall be entered in the seal register. The seal register shall record:
- (a) the date of the Committee Meeting authorising the fixing of the seal;

- (b) the date on which the seal was affixed;
- (c) the nature of the document to which the seal was affixed; including the parties to the contract or agreement, if any;
- (d) the signatories to the affixing of the seal.

## **28. CUSTODY OF RECORDS**

28.1 The Secretary shall keep in his or her custody the Certificate of Incorporation, any title deeds of the Association and all books, documents and securities not required by these Rules to be kept by other Officers of the Association, and all such shall available for inspection by the Members at a reasonable time and place.

28.2 All property and records of the Association shall remain on the premises of the Association at all times unless otherwise authorised in writing by the Committee.

## **29. LODGEMENT OF DOCUMENTS WITH THE REGISTRAR OF INCORPORATED ASSOCIATIONS**

29.1 The Committee shall through the Public Officer ensure that all necessary forms and returns are submitted to the Registrar of Incorporated Associations, including, but not limited to:

- (a) notifying the Registrar of the appointment of a new Public Officer within fourteen (14) days of appointment;
- (b) notifying the Registrar of the change of address of the Public Officer within fourteen (14) days of the change of address;
- (c) lodging with the Registrar, notice of a special resolution to change the Statement of Purposes or Rules within one (1) month of the General Meeting;
- (d) lodging with the Registrar the Statement of Annual General Meeting (Section 30(4)) and accompanying documents within one (1) month of the General Meeting.

29.2 The Public Officer shall:

- (a) produce any book to the Registrar or his authorised officer on being required to do so;
- (b) tell the Registrar or his authorised officer, where, to the best of his knowledge and belief a book is at the time of the request;
- (c) not hinder the Registrar or his authorised officer whilst he is exercising his powers of inspection under Section 47(1);
- (d) immediately bring to the attention of the Committee any document served on the Association at his or her address.

**30. SIGNATORIES**

At its first meeting after each Annual General Meeting the Committee shall by resolution recorded in the minutes appoint three (3) or four (4) Committee members as Signatories; any two (2) of whom shall sign all cheques, drafts, bills of exchange, promissory notes and other negotiable instruments.

**31. ALTERATION OF THE RULES**

These Rules and the Statement of Purposes of the Association must not be altered except in accordance with the act.

**32. WINDING-UP**

32.1 The Association shall not be dissolved except at a General Meeting of the Association specially convened for the purpose and by a resolution carried by a three-fourths (3/4ths) majority of the votes recorded in respect of same.

32.2 If upon winding-up or dissolution of the Association there remains after satisfaction of all debts and liabilities, any property, whatsoever, the same shall not be paid to or distributed among Members of the Association but shall be given or transferred to some other association having similar objectives to the Association and which shall prohibit the distribution of its income and property amongst its members to an extent at least as great as is imposed on the Association, such organisation to be determined by the Members of the Association at or before the time of dissolution and in default thereof by such judge of the Supreme Court of Victoria as may have, or acquire, jurisdiction in the matter.

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