

Rules of Emerald Lakers Basketball Club Inc.

Incorporated Association No. A0019400C

Adopted by special resolution at the Special General Meeting held on [date]

Approved by the Registrar of Incorporated Associations on [date]

These Rules replace the Rules adopted 21 September 1989.

TABLE OF PROVISIONS

Rule	Name	Page
1	Name	5
2	Purposes (Mission, Vision and Values)	5
3	Financial year	5
4	Definitions	5
5	Powers of the Club	7
6	Not for profit organisation	8
7	Minimum number of members	8
8	Who is eligible to be a member	8
9	Conditions of Membership	8
10	Membership Categories and voting rights	8
11	Application for membership	11
12	New membership of an Associate Member	11
13	Consideration of application	11
14	Register of Members	12
15	Period of Membership	12
16	Seasonal registration fee	13
17	General rights of members	13
18	Ceasing membership	14
19	Resigning as a member	14
20	Grounds for taking disciplinary action	15
21	Disciplinary subcommittee	15
22	Notice to member	15
23	Consideration by subcommittee	16
24	Appeal rights	16
25	Conduct of disciplinary appeal meeting	17
26	Application	17
27	Parties must attempt to resolve the dispute	18

28	Appointment of mediator	18
29	Mediation process	18
30	Failure to resolve dispute by mediation	19
31	Annual general meetings	19
32	Special general meetings	19
33	Special general meeting held at request of members	19
34	Notice of general meetings	20
35	Proxies	20
36	Use of technology	21
37	Quorum at general meetings	21
38	Adjournment of general meeting	22
39	Voting at general meeting	22
40	Special resolutions	23
41	Determining whether resolution carried	23
42	Minutes of general meeting	23
43	Role and powers	24
44	Delegation	24
45	Composition of Committee	24
46	General duties	24
47	President and Vice-President	25
48	Secretary	25
49	Treasurer	26
50	Who is eligible to be a Committee member	26
51	Positions to be declared vacant	26
52	Nominations	27
53	Election of Leadership Committee	27
54	Election of general committee members	27
55	Ballot	28
56	Term of office	28
57	Vacation of office	29

58	Filling casual vacancies	30
59	Meetings of Committee	30
60	Notice of meetings	30
61	Urgent meetings	30
62	Agenda and order of business	30
63	Use of technology	31
64	Quorum	31
65	Voting	31
66	Conflict of interest	31
67	Minutes of meeting	32
68	Leave of absence	32
69	Source of funds	32
70	Management of funds	32
71	Financial records	33
72	Financial statements	33
73	Registered address	33
74	Notice requirements	34
75	Custody and inspection of books and records	34
76	Winding up and cancellation	35
77	Alteration of Rules	35

Note:

The persons who from time to time are members of the Club are an incorporated association by the name given in rule 1 of these Rules.

Under section 46 of the Associations Incorporation Reform Act 2012, these Rules are taken to constitute the terms of a contract between the Club and its members.

PART 1 - PRELIMINARY

1 Name

The name of the incorporated association is “Emerald Lakers Basketball Club Inc.” and is referred to as the Club.

Note

Under section 23 of the Act, the name of the association and its registration number must appear on all its business documents.

2 Purposes (Mission, Vision and Values)

The purposes of the Club are:

Mission

To foster a love of basketball in a supportive, inclusive and community-driven environment, where players of all ages and abilities can develop skills, build confidence, and belong - whether the goal is to have fun and play with mates, or shoot for the stars and beyond.

Vision

To be a respected, well-organised and inclusive basketball club that empowers young people, builds strong community connections, and leads the way in grassroots sport leadership.

Values

- **Inclusion** - Every player, coach and family is welcome and supported.
- **Fairness** - Transparent processes for team selection, coaching and development.
- **Community** - Run by the community, for the community, and built on volunteer passion.
- **Growth** - We nurture basketball and personal growth, on and off the court.
- **Respect** - For teammates, officials, opponents, and the game itself.

3 Financial year

The financial year of the Club is each period of 12 months ending on 30 September, to align with Summer season registrations.

4 Definitions

In these Rules:

absolute majority, of the Committee, means a majority of the committee members currently holding office and entitled to vote at the time (as distinct from a majority of committee members present at a committee meeting);

appeal subcommittee means a subcommittee appointed under rule 24(3);

associate member means a member referred to in rule 10;

Chairperson, of a general meeting or committee meeting, means the person chairing the meeting as required under rule 47;

Committee means the Committee having management of the business of the Club;

committee meeting means a meeting of the Committee held in accordance with these Rules;

committee member means a member of the Committee elected or appointed under Division 3 of Part 5;

disciplinary appeal meeting means a meeting of the appeal subcommittee convened for the purposes of rule 25;

disciplinary meeting means a meeting of the disciplinary subcommittee convened for the purposes of rule 23;

disciplinary subcommittee means the subcommittee appointed under rule 21;

financial year means the 12-month period specified in rule 3;

general committee member means members elected to the Committee in accordance with rule 54;

general meeting means a general meeting of the members of the Club convened in accordance with Part 4 and includes an annual general meeting and a special general meeting;

Leadership Committee means the President, Vice-President, Secretary and Treasurer;

member means a member of the Club;

registered mediator means a person registered as a mediator accredited under the National Mediator Accreditation System developed by the Mediator Standards Board Limited ABN 11 145 829 812;

registration platform means the technological platform by which registrations and registration fees are collected;

season means either the Summer or Winter basketball season, with the dates of each season determined by Knox Basketball Incorporated for the participation of basketball by registered members;

special resolution means a resolution that requires not less than three-quarters of the members voting at a general meeting, whether in person or by proxy, to vote in favour of the resolution;

the Act means the **Associations Incorporation Reform Act 2012** and includes any regulations made under that Act;

The Registrar means the Registrar of Incorporated Associations.

PART 2 - POWERS OF THE CLUB

5 Powers of the Club

- (1) Subject to the Act, the Club has power to do all things incidental or conducive to achieve its purposes.
- (2) Without limiting subrule (1), the Club may -
 - (a) acquire, hold and dispose of real or personal property; or
 - (b) open and operate accounts with financial institutions; or
 - (c) invest its money lawfully; or
 - (d) raise and borrow money on any terms and in any manner as it thinks fit, or;
 - (e) accept donations and gifts in accordance with the objectives of the Club; or
 - (f) secure the repayment of money raised or borrowed, or the payment of a debt or liability; or
 - (g) appoint agents to transact business on its behalf; or
 - (h) enter into any other contract it considers necessary or desirable; or
 - (i) print and publish using any platforms deemed appropriate, including electronic, any approved information by any media including newspapers, newsletters, articles or leaflets for the promotion of the Club with the consent of its members; or

(j) provide prizes and awards to members in accordance with the purposes of the Club; or

(k) organise social events for members and the promotion of the Club.

(3) The Club may only exercise its powers and use its income and assets (including any surplus) for its purposes.

6 Not for profit organisation

(1) The Club must not distribute any surplus, income or assets directly or indirectly to its members.

(2) Subrule (1) does not prevent the Club from paying a member -

(a) reimbursement for expenses properly incurred by the member; or

(b) for goods or services provided by the member - if this is done in good faith on terms no more favourable than if the member was not a member.

PART 3 - MEMBERSHIP, DISCIPLINARY PROCEDURES AND GRIEVANCES

Division 1 - Membership

7 Minimum number of members

The Club must have at least 50 members.

8 Who is eligible to be a member

Any person who supports the purposes of the Club is eligible for membership.

9 Conditions of Membership

Membership is conditional on the following:

- a. That the member agrees to abide and be bound by these Rules and By-Laws of the Club, and to accept, comply with and enforce all decisions of the Club.
- b. That the member shall manage their affairs in a manner that will not discredit the Club, or basketball in Victoria and in accordance with the policies of the Club and any policies from governing bodies deemed appropriate by the Club.
- c. That the right, privilege, or obligations of the membership is not transferred or transmitted to another person.

10 Membership Categories and voting rights

Members of the Club consist of three categories:

- 1) Registered Members
- 2) Associate Members
- 3) Life Members

Category 1: Registered Members

- (a) A person is a Registered Member if the person is:
 - (i) registered as a player aged 18 years or over for the current season;
 - (ii) registered as a player under 18 years of age for the current season; or
 - (iii) recorded in PlayHQ and the Register of Members as the parent or legal guardian authorised to exercise the vote of a Registered Member under 18 years of age.
- (b) A Registered Member aged 18 years or over who is registered as a player has one vote in their own right at any general meeting, including the Annual General Meeting.
- (c) A Registered Member under 18 years of age carries one vote at any general meeting, including the Annual General Meeting.
- (d) The vote of a Registered Member under 18 years of age may be exercised by the parent or legal guardian who:
 - (i) is recorded in PlayHQ in relation to the child;
 - (ii) is entered in the Register of Members; and
 - (iii) is recorded as the primary parent, legal guardian or account holder authorised to exercise the child's vote.
- (e) A parent or legal guardian does not receive a vote in their own right solely because they are recorded under subrule (a)(iii).
- (f) Each Registered Member under 18 years of age carries one vote only. That vote must not be exercised more than once at the same meeting.
- (g) A parent or legal guardian authorised under subrule (d) may appoint another member as a proxy under rule 35 to exercise the vote of the Registered Member under 18 years of age. The approved proxy form must identify each child whose vote the proxy is authorised to exercise.
- (h) A person who is recorded only as an emergency contact, and who is not a parent or legal guardian, must not exercise the vote of a Registered Member under 18 years of age.

Category 2: Associate Members

- (a) A person is an Associate Member if the person is 18 years or over and:
 - (i) is registered in PlayHQ as a coach or team manager;
 - (ii) holds a position on the Committee; or
 - (iii) has applied for Associate Membership and the application has been approved by the Committee.
- (b) A person applying under subrule (a)(iii) must:
 - (i) submit an application through the Club's registration platform;
 - (ii) support the purposes of the Club;
 - (iii) agree to comply with these Rules;
 - (iv) have their application approved by resolution of the Committee; and
 - (v) be entered in PlayHQ and the Register of Members.
- (c) An Associate Member has one vote in their own right at any general meeting, including the Annual General Meeting.
- (d) An informal helper or other person does not become an Associate Member merely by assisting the Club. That person must complete the process under subrule (a)(iii).
- (e) Associate Membership is held for the financial year in which the person is registered or approved, unless the membership ceases earlier under these Rules.

Category 3: Life Members

- (a) A person is deemed to be a Life Member if:
 - (i) the person is 18 years or over;
 - (ii) the Committee has approved the person's Life Membership;
 - (iii) the approval is recorded in the minutes of the Committee meeting; and
 - (iv) the person is entered in the Register of Members.
- (b) No more than one Life Membership may be granted in any calendar year.
- (c) Life Membership may be granted to a person whose service to basketball and the Club is considered worthy of the Club's highest honour.
- (d) A Life Member has one vote in their own right at any general meeting, including the Annual General Meeting.
- (e) Life Membership continues for the life of the member unless it is cancelled in accordance with these Rules.

Non-cumulative voting rights

- (a) Voting rights in a person's own right are not cumulative.
- (b) A person who qualifies under more than one membership category, or who holds more than one registered role, has no more than one vote in their own right.
- (c) Subrule (b) does not prevent an authorised parent or legal guardian from exercising the separate votes carried by their registered children.

Example: A person who is a coach, team manager and Committee member has one vote in their own right. If that person is also authorised to exercise the votes of two registered children, the person may cast three votes in total.

(d) Committee members retain their Associate Membership and personal voting rights for as long as they hold office.

11 Application for membership

- (1) To apply to become a member of the Club, a person must submit a written application to a committee member stating that the person—
 - (a) wishes to become a member of the Club in the applicable membership category; and
 - (b) supports the purposes of the Club; and
 - (c) agrees to comply with these Rules.
- (2) The application:
 - (a) must be signed by the applicant; and
 - (b) may be accompanied by the seasonal registration fee.

Notes

This application is included in the electronic registration process under the Terms and Conditions which the applicant can agree to when completing their application for themselves or on behalf of a minor under 18 years of age.

12 New membership of an Associate Member

- (1) If an application for membership is approved by the Committee
 - (a) the resolution to accept the membership must be recorded in the minutes of the committee meeting; and
 - (b) the Secretary must, as soon as practicable, ensure the name and address of the new member, and the date on which they became a member, is recorded in the register of members.
- (2) A person becomes a member of the Club from the date on which the Committee approves the person's membership.

*Note: A requirement for a signature of a person may be met by electronic signature. See section 9 of the **Electronic Transactions (Victoria) Act 2000**.*

13 Consideration of application

- (1) As soon as practicable after an application for membership is received, the Committee must decide by resolution whether to accept or reject the application.
- (2) The Committee must notify the applicant in writing of its decision as soon as practicable after the decision is made.
- (3) If the Committee rejects the application, it must return any money accompanying the application to the applicant.
- (4) The Committee is required to give a reason for the rejection of an application.

14 Register of Members

(1) The Secretary must keep and maintain a Register of Members. For each member, the register must record:

- (a) the member's name, date of birth, address, contact email and telephone number;
- (b) the date the membership commenced;
- (c) the member's membership category and membership period;
- (d) whether the member holds a vote in their own right;
- (e) whether the member is authorised to exercise the vote of a Registered Member under 18 years of age; and
- (f) for each Registered Member under 18 years of age:
 - (i) the name and contact details of the parent or legal guardian authorised under rule 10 to exercise the member's vote;
 - (ii) the relationship of that person to the member; and
 - (iii) whether that person is recorded as the primary parent, legal guardian or account holder in PlayHQ.

(2) For each former member, the register records the member's name and the date they ceased to be a member.

(3) The register is held by the Secretary in a system or account controlled by the Club.

(4) A member may, on written request, inspect the register free of charge at a reasonable time.

(5) On the written application of a member (or of a parent or guardian for a member who is under 18), the Committee may determine, in accordance with section 59 of the Act, that some or all of that member's personal information is not to be available for inspection. The Secretary must give effect to any such determination.

(6) A member must not copy or distribute the register or its contents, or make improper use of information obtained from it.

Note

Under section 57 of the Act, every member has a right to inspect the register. Section 59 allows an individual's details to be restricted in the circumstances set out in the Act. Section 58 makes improper use of register information an offence.

15 Period of Membership

There are three periods of membership:

(1) Category 1 membership is held for the season in which the member, or the registered child the member is authorised to represent, is registered, provided the applicable seasonal registration fee has been paid or an approved payment plan is in place and up to date.

(2) Category 2 membership is held for the financial year in which the member is registered or approved. A Committee member retains Category 2 membership for as long as the member holds office on the Committee.

(3) Category 3 membership is held for the life of the member unless the Life Membership is cancelled in accordance with these Rules.

16

Seasonal registration fee

- (1) At a Committee meeting, the Committee must determine
 - (a) the amount of the seasonal registration fee for the following season; and
 - (b) the date for payment of the seasonal registration fee.
- (2) The Club may determine that any new member who joins after the start of a season must, for that season, pay a fee equal to
 - (a) the full seasonal registration fee; or
 - (b) a pro rata registration fee based on the remaining part of the season after the grading season; or
 - (c) a fixed amount determined from time to time by the Club.
- (3) The membership and voting rights associated with a seasonal registration are suspended if the applicable seasonal registration fee has not been paid by the due date and an approved payment plan is not in place and up to date.
- (4) The suspended membership and voting rights are restored when:
 - (a) the outstanding seasonal registration fee is paid in full; or
 - (b) an approved payment plan is put in place and brought up to date.

17

General rights of members

- (1) Subject to these Rules, a member has the right:
 - (a) to receive notice of general meetings and proposed special resolutions in the manner and within the time required by these Rules;
 - (b) to submit items of business for consideration at a general meeting in accordance with these Rules;
 - (c) to attend and be heard at general meetings;
 - (d) if entitled to vote under subrule (2), to vote at general meetings;
 - (e) to nominate for, be elected to or be appointed to the Committee, provided the member meets the eligibility requirements under rule 50;
 - (f) to offer to participate as a volunteer of the Club, subject to the Club's policies, role requirements and any approval, appointment, registration or screening requirements that apply;

- (g) to access the minutes of general meetings and other documents of the Club as provided under rule 75; and
- (h) to inspect the register of members, subject to rule 14 and the Act; and
- (i) if the member is a parent or legal guardian authorised under rule 10, to attend a general meeting and exercise the vote of each Registered Member under 18 years of age whom the member is authorised to represent.

(2) A member is entitled to vote if:

- (a) the member:
 - (i) has a vote in their own right under rule 10; or
 - (ii) is authorised under rule 10 to exercise the vote of a Registered Member under 18 years of age; and
- (b) more than 10 business days have passed since the member became a member of the Club, unless the member was a member of the Club in a previous season; and
- (c) the member's voting or membership rights are not suspended.

(3) A member's rights are personal to that member and are not transferable, except where these Rules expressly permit:

- (a) a parent or legal guardian to exercise the vote of a Registered Member under 18 years of age; or
- (b) a proxy to exercise a vote under rule 35.

(4) A member's rights end when the member's membership ceases.

18

Ceasing membership

(1) A person's membership ceases on the earliest of the following—

- (a) their resignation, expulsion or death; or
- (b) the end of their membership period under rule 15, unless their membership is renewed.

(2) If a person ceases to be a member of the Club, the Secretary must, as soon as practicable, enter the date the person ceased to be a member in the register of members.

19

Resigning as a member

(1) A member may resign by notice in writing given to the Club.

Note

Rule 74(3) sets out how notice may be given to the Club. It includes by post or by handing the notice to a member of the committee.

(2) A member is taken to have resigned if:

- (a) in the case of a Registered Member whose membership depends on a seasonal registration, the applicable seasonal registration fee remains unpaid for the full season and no approved payment plan is in place and up to date; or
- (b) in the case of a parent or legal guardian recorded under rule 10:

- (i) the person is no longer authorised to exercise the vote of any Registered Member under 18 years of age; and
 - (ii) the person does not hold membership in any other category; or
 - (c) in the case of an Associate Member for whom no seasonal registration fee is payable:
 - (i) the Secretary has made a written request asking the member to confirm that they wish to remain a member; and
 - (ii) the member has not confirmed in writing within three months after receiving the request.
- (3) A Life Member may resign by giving written notice to the Club under subrule (1), but is not taken to have resigned merely because they are no longer actively involved in the Club.

Division 2: Disciplinary action

20 Grounds for taking disciplinary action

The Club may take disciplinary action against a member in accordance with this Division if it is determined that the member

- (a) has failed to comply with these Rules; or
- (b) refuses to support the purposes of the Club; or
- (c) has engaged in conduct prejudicial to the Club.

21 Disciplinary subcommittee

(1) If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.

(2) Subject to subrule (3), the Committee may appoint any person to a disciplinary subcommittee.

(3) A person must not be appointed to a disciplinary subcommittee if the person is biased in favour of or against the member concerned.

22 Notice to member

(1) Before disciplinary action is taken against a member, the Secretary must give written notice to the member

- (a) stating that the Club proposes to take disciplinary action against the member; and
- (b) stating the grounds for the proposed disciplinary action; and
- (c) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the ***disciplinary meeting***); and
- (d) advising the member that the member may do one or both of the following

- (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
- (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
- (e) setting out the member's appeal rights under rule 24.

(2) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

23

Consideration by subcommittee

- (1) At the disciplinary meeting, the disciplinary subcommittee must
 - (a) give the member an opportunity to be heard; and
 - (b) consider any written statement submitted by the member.
- (2) After complying with subrule (1), the disciplinary subcommittee may
 - (a) take no further action against the member; or
 - (b) subject to subrule (3)
 - (i) reprimand the member; or
 - (ii) suspend the membership rights of the member for a specified period as determined by the subcommittee; or
 - (iii) expel the member from the Club.
- (3) The disciplinary subcommittee may not fine the member.
- (4) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.
- (5) All decisions must be documented by the subcommittee and provided to the Committee upon completion of the disciplinary meeting.

24

Appeal rights

- (1) A person whose membership rights have been suspended or who has been expelled from the Club under rule 23 may give notice to the effect that the person wishes to appeal against the suspension or expulsion.
- (2) The notice must be in writing and given:
 - (a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
 - (b) to the Secretary not later than 7 days after the vote.
- (3) If a person has given notice under subrule (2), the Committee must appoint at least 3 persons to an appeal subcommittee to consider the appeal.
- (4) Subject to subrule (5), the Committee may appoint any person to an appeal subcommittee.
- (5) A person must not be appointed to an appeal subcommittee if the person—
 - (a) was appointed to the disciplinary subcommittee to hear and determine the matter of the member concerned; or

- (b) has a personal interest in the dispute; or
- (c) is biased in favour of or against the member concerned.

(6) The committee must convene a meeting of the appeal subcommittee (the *disciplinary appeal meeting*) as soon as practicable and no later than 21 days after the notice of the appeal is received.

(7) Notice of the disciplinary appeal meeting must be given to each member of the appeal subcommittee and the member concerned as soon as practicable and must—

- (a) specify the date, time and place of the meeting; and
- (b) state
 - (i) the name of the person against whom the disciplinary action has been taken; and
 - (ii) the grounds for taking that action; and
 - (iii) that at the disciplinary appeal meeting the appeal subcommittee members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

25 Conduct of disciplinary appeal meeting

- (1) At a disciplinary appeal meeting
 - (a) no business other than the question of the appeal may be conducted; and
 - (b) the appeal subcommittee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
 - (c) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- (2) After complying with subrule (1), members of the appeal subcommittee present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- (3) A member may not vote by proxy at the meeting.
- (4) The decision is upheld if a majority of the persons voting at the meeting vote in favour of the decision.

Division 3: Grievance procedure

26 Application

- (1) The grievance procedure set out in this Division applies to disputes under these Rules between
 - (a) a member and another member; and
 - (b) a member and the Committee; and
 - (c) a member and the Club.
- (2) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

27 Parties must attempt to resolve the dispute

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

28 Appointment of mediator

- (1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 27, the parties must within 10 days
 - (a) notify the Committee of the dispute; and
 - (b) agree to or request the appointment of a mediator; and
 - (c) attempt in good faith to settle the dispute by mediation.
- (2) The mediator must be
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement
 - (i) if the dispute is between a member and another member, a person appointed by the Committee; or
 - (ii) if the dispute is between a member and the Committee or the Club or a registered mediator

Note

This includes a registered mediator appointed or employed by the Dispute Settlement Centre of Victoria or accredited by the Victorian Bar.

- (3) Subject to subrule (4), the Committee may appoint any person as a mediator.
- (4) The Committee must not appoint a person as a mediator if the person
 - (a) has a personal interest in the dispute; or
 - (b) is biased in favour of or against any party.

29 Mediation process

- (1) The mediator to the dispute, in conducting the mediation, must
 - (a) give each party 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 throughout the mediation process.
- (2) The mediator must not determine the dispute.
- (3) Any costs of mediation are to be paid
 - (a) if an agreement as to costs is reached between the parties in accordance with that agreement; or
 - (b) if there is no such agreement by the Committee.

30 Failure to resolve dispute by mediation

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

PART 4: GENERAL MEETINGS OF THE CLUB

31 Annual general meetings

- (1) The Committee must convene an annual general meeting of the Club to be held within 5 months after the end of each financial year.
- (2) The Committee may determine the date, time and place of the annual general meeting.
- (3) The ordinary business of the annual general meeting is as follows
 - (a) to confirm the minutes of the previous annual general meeting and of any special general meeting or general meeting held since then;
 - (b) to receive and consider
 - (i) the annual report of the Committee on the activities of the Club during the preceding financial year; and
 - (ii) the financial statements of the Club for the preceding financial year submitted by the Committee in accordance with Part 7 of the Act;
 - (c) to elect committee members to the positions declared vacant under rule 51.
- (4) The annual general meeting may also conduct any other business of which notice has been given in accordance with these Rules.

32 Special general meetings

- (1) Any general meeting of the Club, other than an annual general meeting or a disciplinary appeal meeting, is a special general meeting.
- (2) The Committee may convene a special general meeting whenever it thinks fit.
- (3) No business other than that set out in the notice under rule 34 may be conducted at the meeting.

Note: General business may be considered at the meeting if it is included as an item for consideration in the notice under rule 34 and the majority of members at the meeting agree.

33 Special general meeting held at request of members

- (1) The Committee must convene a special general meeting if a request to do so is made in accordance with subrule (2) by at least 10% of the total number of members.
- (2) A request for a special general meeting must
 - (a) be in writing; and
 - (b) state the business to be considered at the meeting and any resolutions to be proposed; and
 - (c) include the names and signatures of the members requesting the meeting; and
 - (d) be given to the Secretary.

- (3) If the Committee does not convene a special general meeting within one month after the date on which the request is made, the members making the request (or any of them) may convene the special general meeting.
- (4) A special general meeting convened by members under subrule (3)
 - (a) must be held within 3 months after the date on which the original request was made; and
 - (b) may only consider the business stated in that request.
- (5) The Club must reimburse all reasonable expenses incurred by the members convening a special general meeting under subrule (3).

34 Notice of general meetings

- (1) The Secretary (or, in the case of a special general meeting convened under rule 33(3), the members convening the meeting) must give to each member of the Club
 - (a) at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
 - (b) at least 14 days' notice of a general meeting in any other case.
- (2) The notice must
 - (a) specify the date, time and place of the meeting; and
 - (b) indicate the general nature of each item of business to be considered at the meeting; and
 - (c) if a special resolution is to be proposed
 - (i) state in full the proposed resolution; and
 - (ii) state the intention to propose the resolution as a special resolution; and
 - (d) comply with rule 35(8).
- (3) This rule does not apply to a disciplinary appeal meeting.

Note: Rule 24(7) sets out the requirements for notice of a disciplinary appeal meeting.

35 Proxies

- (1) A member may appoint another member as the member's proxy to speak and vote on the member's behalf at a general meeting, other than a disciplinary appeal meeting.
- (2) A parent or legal guardian authorised under rule 10 to exercise the vote of a Registered Member under 18 years of age may appoint another member as a proxy to exercise that vote.
- (3) A proxy appointment must:
 - (a) be made using the form approved by the Committee;
 - (b) be in writing;
 - (c) be signed by the member, parent or legal guardian making the appointment; and
 - (d) identify the meeting to which the appointment applies.

- (4) A proxy appointment relating to the vote of a Registered Member under 18 years of age must identify each child whose vote the proxy is authorised to exercise.
- (5) A proxy must not exercise a child's vote unless the child is expressly identified on the proxy form.
- (6) The person appointing the proxy may give specific directions about how the proxy is to vote. If no specific directions are given, the proxy may vote on any matter as the proxy considers appropriate.
- (7) The appointment of a proxy does not create an additional vote. Each member, including a Registered Member under 18 years of age, continues to carry only the votes provided under rule 10.
- (8) The Committee must provide an approved proxy form. A notice of a general meeting given under rule 34 must:
 - (a) state that a member may appoint another member as a proxy; and
 - (b) include a copy of the approved proxy form.
- (9) A completed proxy form must be received by the Club no later than 48 hours before the commencement of the meeting, whether it is delivered personally, by post or electronically.
- (10) A proxy appointment that does not comply with this rule is of no effect.

36

Use of technology

- (1) A general meeting may be held and members may take part by the use of technology that allows members to clearly and simultaneously communicate with each other participating member.
- (2) For the purposes of this Part, a member participating in a general meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

37

Quorum at general meetings

- (1) No business may be conducted at a general meeting unless a quorum of members is present.
- (2) The quorum for a general meeting is six adult members participating:
 - (a) in person;
 - (b) through the use of technology under rule 36; or
 - (c) through an adult member appointed as their proxy under rule 35.
- (3) For the purpose of determining quorum:
 - (a) each adult member is counted once only;
 - (b) the votes of Registered Members under 18 years of age do not count as separate persons; and
 - (c) the number of votes a member holds or is authorised to exercise does not increase the number of members present.
- (4) If a quorum is not present within 30 minutes after the notified commencement time of a general meeting
 - (a) in the case of a meeting convened by, or at the request of, members under rule 33, the meeting must be dissolved; or

Note: If a meeting convened by, or at the request of, members is dissolved under this subrule, the business that was to have been considered at the meeting is taken to have

been dealt with. If members wish to have the business reconsidered at another special meeting, the members must make a new request under rule 33.

(b) in any other case

(i) the meeting must be adjourned to a date not more than 21 days after the adjournment; and

(ii) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.

(5) If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under subrule (4)(b), the adult members present at the meeting (if not fewer than 3) may proceed with the business of the meeting as if a quorum were present.

38 Adjournment of general meeting

(1) The Chairperson of a general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.

(2) Without limiting subrule (1), a meeting may be adjourned

(a) if there is insufficient time to deal with the business at hand; or

(b) to give the members more time to consider an item of business.

Example

The members may wish to have more time to examine the financial statements submitted by the Committee at an annual general meeting.

(3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.

(4) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 34.

39 Voting at general meeting

(1) On any question arising at a general meeting

(a) subject to subrule (3), each member may cast every vote the member holds or is authorised to exercise under rule 10; and

(b) members may vote personally or by proxy; and

(c) except in the case of a special resolution, the question must be decided on a majority of votes.

(2) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.

(3) If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.

(4) This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 25.

40 Special resolutions

A special resolution is passed if not less than three-quarters of the members voting at a general meeting (whether in person or by proxy) vote in favour of the resolution.

Note: In addition to certain matters specified in the Act, a special resolution is required

- (a) to remove a committee member from office ;
- (b) to alter these Rules, including changing the name or any of the purposes of the Club.

41 Determining whether resolution carried

- (1) Subject to subrule (2), the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been
 - (a) carried; or
 - (b) carried unanimously; or
 - (c) carried by a particular majority; or
 - (d) lost
 - and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.
- (2) If a count is demanded by 3 or more members on any question
 - (a) the count must be taken at the meeting in the manner determined by the Chairperson of the meeting; and
 - (b) the Chairperson must declare the result of the resolution on the basis of the count.
- (3) A count demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.
- (4) A count demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

42 Minutes of general meeting

- (1) The Committee must ensure that minutes are taken and kept at each general meeting.
- (2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- (3) In addition, the minutes of each annual general meeting must include—
 - (a) the names of the members attending the meeting; and
 - (b) the financial statements submitted to the members in accordance with rule 31(3)(b)(ii); and
 - (c) the certificate signed by 2 committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Club; and
 - (d) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

PART 5: COMMITTEE

Division 1: Powers of Committee

43 Role and powers

- (1) The business of the Club must be managed by or under the direction of a committee.
- (2) The Committee may exercise all the powers of the Club except those powers that these Rules or the Act require to be exercised by general meetings of the members of the Club.
- (3) The Committee may
 - (a) appoint and remove volunteers; and
 - (b) establish subcommittees and working groups consisting of members with terms of reference it considers appropriate.

44 Delegation

- (1) The Committee may delegate to a member of the Committee, a subcommittee or working group, any of its powers and functions other than—
 - (a) this power of delegation; or
 - (b) a duty imposed on the Committee by the Act or any other law.
- (2) The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.
- (3) The Committee may, in writing, revoke a delegation wholly or in part.

Division 2: Composition of Committee and duties of members

45 Composition of Committee

The Committee consists of

- (a) a President; and
- (b) a Vice-President; and
- (c) a Secretary; and
- (d) a Treasurer; and
- (e) General committee members elected under rule 54.

46 General Duties

- (1) As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with these Rules and the Act.
- (2) The Committee is collectively responsible for ensuring that the Club complies with the Act and that individual members of the Committee comply with these Rules.
- (3) Committee members must exercise the member's powers and discharge the member's duties with reasonable care and diligence.

- (4) Committee members must exercise the member's powers and discharge the member's duties
- (a) in good faith in the best interests of the Club; and
 - (b) for a proper purpose.
- (5) Committee members and former committee members must not make improper use of
- (a) the member's, or former member's, position; or
 - (b) information acquired by virtue of holding the member's, or former member's, position so as to gain an advantage for themselves or any other person or to cause detriment to the Club.
- Note: See also Division 3 of Part 6 of the Act which sets out the general duties of the office holders of an incorporated association.*
- (6) In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.

47 President and Vice-President

- (1) Subject to subrule (2), the President or, in the President's absence, the Vice-President is the Chairperson for any general meetings and for any committee meetings.
- (2) If the President and the Vice-President are both absent, or are unable to preside, the Chairperson of the meeting must be
- (a) in the case of a general meeting: a member elected by the other members present; or
 - (b) in the case of a committee meeting: a committee member elected by the **other committee members present**.

48 Secretary

- (1) The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.
- Example: Under the Act, the secretary of an incorporated association is responsible for lodging documents of the association with the Registrar.*
- (2) The Secretary must
- (a) maintain the register of members in accordance with rule 14; and
 - (b) keep custody of all books, documents and securities of the Club in accordance with rule 75; and
 - (c) subject to the Act and these Rules, provide members with access to the register of members, the minutes of general meetings and other books and documents; and
 - (d) perform any other duty or function imposed on the Secretary by these Rules.
- (3) The Secretary must give to the Registrar notice of the Secretary's appointment within 14 days after the appointment.

Treasurer

- (1) The Treasurer must
 - (a) receive all moneys paid to or received by the Club and issue receipts for those moneys in the name of the Club; and
 - (b) ensure that all moneys received are paid into the account of the Club within 5 working days after receipt; and
 - (c) make any payments authorised by the Committee or by a general meeting of the Club from the Club's funds; and
 - (d) ensure relevant financial documents in accordance with rule 70 (4) are signed by at least 2 committee members.
- (2) The Treasurer must
 - (a) ensure that the financial records of the Club are kept in accordance with the Act; and
 - (b) coordinate the preparation of the financial statements of the Club and the Club's certification by the Committee prior to the Club's submission to the annual general meeting of the Club.
- (3) The Treasurer must ensure that all other committee members have access to the accounts and financial records of the Club.

Division 3: Election of Committee members and tenure of office**Who is eligible to be a Committee member**

A member is eligible to be elected or appointed as a Committee member if the member:

- (a) is 18 years or over; and
- (b) either:
 - (i) holds a vote in their own right under rule 10; or
 - (ii) is authorised under rule 10 to exercise the vote of a Registered Member under 18 years of age.

Positions to be declared vacant

- (1) This rule applies to
 - (a) the first annual general meeting of the Club after its incorporation; or
 - (b) any subsequent annual general meeting of the Club, after the annual report and financial statements of the Club have been received.
- (2) The Chairperson of the meeting must declare vacant, and hold elections in accordance with rules 52 to 55 for, the office-bearer positions that are due for election that year under rule 56, together with all general committee member positions and any other Committee position that is vacant.

Nominations

- (1) The Secretary must call for nominations to fill the positions on the Committee at least 14 days before the AGM.
- (2) An eligible member of the Club may

(a) nominate himself or herself; or

(b) with the member's consent, be nominated by another member.

(3) A member who is nominated for a position and fails to be elected to that position may be nominated for any other position for which an election is yet to be held.

(4) Nominations are to be publicised by the Secretary 7 days before the AGM.

53

Election of Leadership Committee

(1) At each annual general meeting, a separate election must be held for each office-bearer position that is due for election that year under rule 56. The office-bearer positions are

(a) President;

(b) Vice-President;

(c) Secretary;

(d) Treasurer.

(2) If only one member is nominated for the position, the Chairperson of the meeting must declare the member elected to the position.

(3) If more than one member is nominated, a ballot must be held in accordance with rule 55.

(4) On the President's election, the new President may take over as Chairperson of the meeting.

54

Election of general committee members

(1) The annual general meeting must by resolution decide the number of general members of the Committee it wishes to hold office for the next year (e.g.: Team Coordinators, Communications Manager, Sponsorship and Fund raising Coordinators, Uniform Coordinators, Coach Coordinators)

(2) A single election may be held to fill all of those positions based on nominations,

(3) If the number of members nominated for the position of general committee member is less than or equal to the number to be elected, the Chairperson of the meeting must declare each of those members to be elected to the position.

(4) If the number of members nominated exceeds the number to be elected, a ballot must be held in accordance with rule 55.

(5) If no nominations are offered, the Leadership Committee can appoint a suitable member to any of the general member positions

55

Ballot

(1) If a ballot is required for the election for a position, the Chairperson of the meeting must appoint a member to act as returning officer to conduct the ballot.

(2) The returning officer must not be a member nominated for the position.

- (3) Before the ballot is taken, each candidate may make a short speech in support of the candidate's election.
- (4) The election must be by secret ballot.
- (5) If the election is held in person, the returning officer must give:
 - (a) one ballot paper for each vote the member is entitled to cast in their own right;
 - (b) one ballot paper for each Registered Member under 18 years of age whose vote the member is authorised to exercise; and
 - (c) one ballot paper for each vote the member is authorised to exercise as a proxy.

Example: A coach who has one personal vote and is authorised to exercise the votes of two registered children must receive three ballot papers. If that person also holds one valid proxy, the person must receive four ballot papers.
- (6) If the ballot is for a single position, the voter must write on the ballot paper the name of the candidate for whom they wish to vote.
- (7) If the ballot is for more than one position
 - (a) the voter must write on the ballot paper the name of each candidate for whom they wish to vote;
 - (b) the voter must not write the names of more candidates than the number to be elected.
- (8) Ballot papers that do not comply with subrule (7)(b) are not to be counted.
- (9) Each ballot paper on which the name of a candidate has been written counts as one vote for that candidate.
- (10) The returning officer must declare elected the candidate or, in the case of an election for more than one position, the candidates who received the most votes.
- (11) If the returning officer is unable to declare the result of an election under subrule (10) because 2 or more candidates received the same number of votes, the returning officer must
 - (a) conduct a further election for the position in accordance with subrules (4) to (10) to decide which of those candidates is to be elected; or
 - (b) with the agreement of those candidates, decide by lot which of them is to be elected.

Examples: The choice of candidate may be decided by the toss of a coin, drawing straws or drawing a name out of a hat.

56

Term of office

- (1) The office bearers of the Club are elected for two-year terms on a rotating basis, as follows
 - (a) the President and Treasurer are elected in odd-numbered calendar years; and
 - (b) the Vice-President and Secretary are elected in even-numbered calendar years.
- (2) A general committee member is elected for a one-year term and holds office until the next annual general meeting.

- (3) An office bearer holds office until the end of the annual general meeting at which their position is next due for election under subrule (1), and is eligible for re-election.
- (4) To establish the rotation, at the first annual general meeting after these Rules take effect elections must be held for all four office-bearer positions. The two positions that, under subrule (1), are due for election in the following calendar year are filled for a one-year term; the other two positions are filled for a two-year term. Subrule (1) then applies to all subsequent elections.
- (5) A committee member's term ends earlier if they vacate office under rule 57.
- (6) A general meeting of the Club may
- (a) by special resolution remove a committee member from office; and
 - (b) elect an eligible member of the Club to fill the vacant position in accordance with this Division.
- (7) A member who is the subject of a proposed special resolution under subrule (6)(a) may make representations in writing to the Secretary or President of the Club (not exceeding a reasonable length) and may request that the representations be provided to the members of the Club.
- (8) The Secretary or the President may give a copy of the representations to each member of the Club or, if they are not so given, the member may require that they be read out at the meeting at which the special resolution is to be proposed.

57

Vacation of office

- (1) A committee member may resign from the Committee by written notice addressed to the Committee.
- (2) A person ceases to be a committee member if the person
- (a) ceases to be a member of the Club; or
 - (b) fails to attend 3 consecutive committee meetings (other than special or urgent committee meetings) without leave of absence under rule 68; or
 - (c) otherwise ceases to be a committee member by operation of section 81 of the Act.

Note: A Committee member may not hold the office of Secretary if they do not reside in Australia.

58

Filling casual vacancies

- (1) The Committee may appoint an eligible member of the Club to fill a position on the Committee that
- (a) has become vacant under rule 57; or
 - (b) was not filled by election at the last annual general meeting.

- (2) If the position of Secretary becomes vacant, the Committee must appoint a member to the position within 14 days after the vacancy arises.
- (3) Rule 56 applies to any committee member appointed by the Committee under subrule (1) or (2).
- (4) The Committee may continue to act despite any vacancy in its membership.

Division 4: Meetings of Committee

59 Meetings of Committee

- (1) The Committee must meet at least 4 times in each year at the dates, times and places determined by the Committee.
- (2) The date, time and place of the first committee meeting must be determined by the members of the Committee as soon as practicable after the annual general meeting of the Club at which the members of the Committee were elected.
- (3) Special committee meetings may be convened by the President or by any of the Leadership Committee with notice of business.

60 Notice of meetings

- (1) Notice of each committee meeting must be given to each committee member no later than 7 days before the date of the meeting.
- (2) Notice may be given of more than one committee meeting at the same time.
- (3) Notice must be given as soon as practicable and must state the date, time and place of the meeting.
- (4) The only business that may be conducted at the meeting is the business for which the meeting is convened.

61 Urgent meetings

- (1) In cases of urgency, a meeting can be held without notice being given in accordance with rule 60 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- (2) Any resolution made at the meeting must be passed by an absolute majority of the Committee.
- (3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

62 Agenda and order of business

- (1) The agenda to be followed at a meeting of a Committee must be determined from time to time by the Committee.
- (2) The order of business may be determined by the members present at the meeting.

63 Use of technology

- (1) A committee meeting may be held by the use of technology that allows committee members to clearly and simultaneously communicate with each other participating member.
- (2) For the purposes of this Part, a committee member participating in a committee meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

64 **Quorum**

- (1) No business may be conducted at a Committee meeting unless a quorum of **a majority** of the committee is present.
- (2) The quorum for a committee meeting is the presence (in person or as allowed under rule 63) of **a majority** of the committee members.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting
 - (a) in the case of a special meeting, the meeting lapses;
 - (b) in any other case; the meeting must be adjourned to a date no later than 7 days after the adjournment and notice of the date, time and place to which the meeting is adjourned must be given in accordance with rule 60(1).

65 **Voting**

- (1) On any question arising at a committee meeting, each committee member present at the meeting has one vote.
- (2) A motion is carried if a majority of committee members present and voting at the meeting vote in favour of the motion.
- (3) Subrule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Committee.
- (4) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- (5) Voting by proxy is not permitted for committee meeting voting. Voting is only for those present at the meeting, physically or by use of technology.

66 **Conflict of interest**

- (1) A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the committee member's position and the nature and extent of that interest to the Committee.
- (2) The member
 - (a) must not be present while the matter is being considered at the meeting; and
 - (b) must not vote on the matter.

Note: Under section 81(3) of the Act, if there are insufficient committee members to form a quorum because a member who has a material personal interest is disqualified from voting on a matter, a general meeting may be called to deal with the matter.

- (3) This rule does not apply to a material personal interest

- (a) that exists only because the member belongs to a class of persons for whose benefit the Club is established; or
- (b) that the member has in common with all, or a substantial proportion of, the members of the Club.
- (4) The Committee must keep a conflict of interest register.
- (5) The conflict of interest register must record the following—
 - (a) the name and position of the member who has disclosed a material personal interest;
 - (b) a description of the nature and extent of that interest;
 - (c) a management plan documenting actions required to mitigate the conflict.

67 Minutes of meeting

- (1) The Committee must ensure that minutes are taken and kept of each committee meeting.
- (2) The minutes must record the following
 - (a) the names of the members in attendance at the meeting;
 - (b) the business considered at the meeting;
 - (c) any resolution on which a vote is taken and the result of the vote;
 - (d) any material personal interest disclosed under rule 66.

68 Leave of absence

- (1) The Committee may grant a committee member leave of absence from committee meetings for a period not exceeding 3 months.
- (2) The Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the committee member to seek the leave in advance.

PART 6: FINANCIAL MATTERS

69 Source of funds

The funds of the Club may be derived from registration fees, donations, fundraising activities, grants, sponsorship, merchandise sales, interest and any other sources approved by the Committee.

70 Management of funds

- (1) The Club must open an account with a financial institution from which all expenditure of the Club is made and into which all of the Club's revenue is deposited.
- (2) Subject to any restrictions imposed by a general meeting of the Club, the Committee may approve expenditure on behalf of the Club.
- (3) The Committee may authorise the Treasurer to expend funds on behalf of the Club (including by electronic funds transfer) up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.

- (4) All drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 committee members.
- (5) All nominated signatories of the Club account(s) must ensure authorisations are obtained in the ordinary or extraordinary use of the club funds. This may be via approval/pre-approval by the Committee or delegated Committee member(s) appointed by the Committee.
- (6) All funds of the Club must be deposited into the financial account of the Club no later than 5 working days after receipt.

71 Financial records

- (1) The Club must keep financial records that
 - (a) correctly record and explain its transactions, financial position and performance; and
 - (b) enable financial statements to be prepared as required by the Act.
- (2) The Club must retain the financial records for 7 years after the transactions covered by the records are completed.
- (3) The Treasurer must keep in the Treasurer's custody, or under the Treasurer's control
 - (a) the financial records for the current financial year; and
 - (b) any other financial records as authorised by the Committee.

72 Financial statements

- (1) For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the Club are met.
- (2) Without limiting subrule (1), those requirements include
 - (a) the preparation of the financial statements; and
 - (b) if required, the review or auditing of the financial statements; and
 - (c) the certification of the financial statements by the Committee; and
 - (d) the submission of the financial statements to the annual general meeting of the Club; and
 - (e) the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

PART 7: GENERAL MATTERS

73 Registered address

The registered address of the Club is

- (a) the address determined from time to time by resolution of the Committee; or
- (b) if the Committee has not determined a registered address, the postal address of the Secretary.

74 Notice requirements

- (1) Any notice required to be given to a member or a committee member under these Rules may be given
 - (a) by handing the notice to the member personally; or
 - (b) by sending it by post to the member at the address recorded for the member on the register of members; or
 - (c) by email.
- (2) Subrule (1) does not apply to notice given under rule 61.
- (3) Any notice required to be given to the Club or the Committee may be given
 - (a) by handing the notice to a member of the Committee; or
 - (b) by sending the notice by post to the registered address; or
 - (c) by leaving the notice at the registered address; or
 - (d) if the Committee determines that it is appropriate in the circumstances
 - (i) by email to the email address of the Club or the Secretary.

75

Custody and inspection of books and records

- (1) Members may on request inspect free of charge any of the following
 - (a) the register of members subject to rule 14;
 - (b) the minutes of general meetings;
 - (c) subject to subrule (2), the financial records, books, securities and any other relevant document of the Club, including minutes of Committee meetings.
- Note: See note following rule 14 for details of access to the register of members.*
- (2) The Committee may refuse to permit a member to inspect records of the Club that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Club.
- (3) The Committee must, on request, make available or provide copies of these Rules to members and applicants for membership free of charge.
- (4) Subject to subrule (2), a member may request a copy of, or make a copy of, any of the other records of the Club referred to in this rule and the Club may charge a reasonable fee for provision of a copy of such a record.
- (5) For the purposes of this rule:

relevant document means any record or other document, however compiled, recorded or stored, that relates to the incorporation and management of the Club and includes the following

- (a) a membership record;
- (b) a financial statement;
- (c) a financial record;
- (d) any other record or document relating to transactions, dealings, business or property of the Club.

76

Winding up and cancellation

- (1) The Club may be wound up voluntarily by special resolution.

- (2) In the event of the winding up or the cancellation of the incorporation of the Club, the surplus assets of the Club must not be distributed to any members or former members of the Club.
- (3) Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the Club and which is not carried on for the profit or gain of its individual members.
- (4) The body to which the surplus assets are to be given must be decided by special resolution.

77 Alteration of Rules

These Rules may only be altered by special resolution of a general meeting of the Club.

Note

An alteration of these Rules does not take effect unless or until it is approved by the Registrar. If these Rules (other than rule 1, 2 or 3) are altered, the Club is taken to have adopted its own rules, not the model rules.
