info@athertonbasketball.com
athertonbasketball.com

CONSTITUTION

OF

ATHERTON BASKETBALL ASSOCIATION INCORPORATED

(IA)

(ABA)

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Contents

PART 1- INTRODUCTORY 5
1 INTRODUCTION 5
2 DEFINITIONS AND INTERPRETATION 5
3 OBJECTS 7
4 POWERS 8
PART 2- MEMBERSHIP 8
5 CLASSES OF MEMBERSHIP 8
6 PLAYING MEMBERS 9
7 ASSOCIATE MEMBERS 9
8 LIFE MEMBERS 10
9 HONORARY MEMBERS 10
10 JUNIOR MEMBERS 10
11 AWARD OF MERIT AND OTHER AWARDS 10
PART 3– TERMINATION OF MEMBERSHIP 11
12 GENERAL 11
13 RESIGNATION 11
14 EXPULSION AND SUSPENSION 11
15 EXPULSION AND SUSPENSION – APPEAL 12
PART 4– OTHER MEMBERSHIP MATTERS 13
16 MEMBERSHIP AND OTHER FEES 13
17 REGISTER 14
PART 5- MANAGEMENT COMMITTEE MEMBERS 15
18 THE MANAGEMENT COMMITTEE 15
19 ELIGIBILITY FOR ELECTION OR APPOINTMENT AS A MANAGEMENT COMMITTEE MEMBER 15
20 TENURE OF MANAGEMENT COMMITTEE MEMBERS 15
21 ELECTION - OUTLINE OF PROCEDURE 16
22 ELECTION - PROCEDURE AT AGM 17
23 CASUAL VACANCIES 17
PART 6- WHAT THE MANAGEMENT COMMITTEE DOES AND HOW IT OPERATES 18
24 MAIN FUNCTIONS AND POWERS 18
25 MEETINGS 18
26 PROCEDURE AT MEETINGS 18
27 RESOLUTIONS WITHOUT MEETINGS 19
28 USE OF TECHNOLOGY BY MANAGEMENT COMMITTEE 20
29 SUBCOMMITTEES 20

PART 7– GENERAL MEETINGS 20
30 ANNUAL GENERAL MEETINGS 20
31 SPECIAL GENERAL MEETINGS 21
32 NOTICE OF GENERAL MEETINGS 21
33 NOTICES OF MOTION 21
34 QUORUM AND ADJOURNMENT 22
35 PROCEDURE 22
36 VOTING RIGHTS 23
37 PROXIES, ETC 23
38 USE OF TECHNOLOGY AT A GENERAL MEETING 24
PART 8– FINANCIAL ADMINISTRATION AND MANAGEMENT 24
39 APPLICATION OF INCOME AND PROPERTY 24
40 ACCOUNTING REQUIREMENTS 24
41 FINANCIAL STATEMENTS AND AUDIT 24
42 FINANCIAL YEAR 24
PART 9- MISCELLANEOUS 25
43 WINDING-UP 25
44 DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY 25
45 PROTECTION FROM INVALIDITY 25
46 BY-LAWS 25
47 CHANGING THIS CONSTITUTION 26
48 GRIEVANCE PROCCESS 26
49 SECRETARY 28
50 MEMEBERS OF THE MANAGEMENT COMMITTEE 29
51 DOCUMENTS AND RECORDS 29
52 NOTICES 29
53 INDEMNITY 29
ATTACHMENT 1– REQUIREMENTS OF THE ACT 31
ACCOUNTING REQUIREMENTS 31
RECORD-KEEPING REQUIREMENTS 31
SECRETARY 32

PART 1 - INTRODUCTORY

1 INTRODUCTION

1.1 The name of the association is "Atherton Basketball Association Incorporated" (the association)

1.2 This constitution contains the rules of the *association* for the purposes of the *Act*.

2 DEFINITIONS AND INTERPRETATION

1.3 The following definitions apply to terms used in this *constitution:*

Act means the Associations Incorporation Act 1981 and includes the Regulation and any other statutory instrument under that Act or Regulation.

appeals panel means a panel of 3 persons chosen by the secretary from among any person or persons determined by the management committee from time to time as eligible members of such a panel.

appellant – means a person whose membership has been suspended or who has been expelled as a member under subrule 14.

applicant means a person, corporation, association or other body who applies to the association for membership.

associate member means a person admitted to associate membership of the association under rule 7.

association – means "Atherton Basketball Association Incorporated".

BA means Basketball Australia Limited.

BQ means Basketball Queensland Limited.

by-laws – see subrule 46.8.

Tablelands & Mareeba area includes but is not limited to the area covered by the Tablelands Regional Council & Mareeba Shire Council local government area.

candidate – see subrules 21.3 and 21.7.

casual vacancy means a vacancy that happens when an elected member of the management committee resigns, dies or otherwise stops holding office.

chairperson means the president or another member of the elected management committee including the secretary. This person is to be nominated at the AGM.

constituent documents of an entity means:

(a) the entity's constitution, rules or by-laws; and

(b) any similar document that takes effect as a contract between the members of the entity or between the entity and its members; and

(c) any other document that regulates the administration, membership or affairs of the entity.
constitution – this constitution, which contains the rules of the association.

eligible vote means: in relation to a general meeting – every vote that may be cast at the meeting by a member present in person or by a member on behalf of another member under a proxy granted under this constitution;

financial member means a member that is not an unfinancial member. holding company – see subrule 52.3.
honorary members means a person admitted to honorary membership of the association in accordance with rule 9.

junior member means a person admitted to junior membership of the association in accordance with rule 10.

liability – see subrule 52.3. life member means a person admitted to life membership of the association in accordance with rule 8.

life membership policy the policy developed by the management committee from time to time to facilitate admission of life members to the association.

management committee means the management committee established under subrule 18.1.

management committee member (or mc member) means members of the management committee elected or appointed under this constitution.

member means a member of the association and includes a playing member, junior member, associate member, life member and honorary member.

membership fees means the fees levied by the management committee from time to time for membership of the association.

officer means a management committee member, a secretary and/or an auditor and any former management committee member or former secretary or former auditor.

overdue amount means any amount of membership fees due and unpaid by any member and as otherwise provided for in subrule 16.4.

playing member means a person admitted to playing membership of the association in accordance with rule 6.

prescribed means prescribed in the by-laws or by a resolution of the management committee.

protected invalidity has the same meaning as set out in subrule 45.2.

Regulation means the Associations Incorporation Regulation 1992.

representative means a natural person who is a partner, management committee member, officer or other representative of a member which is a partnership, company, trustee, association (whether incorporated or not) or other entity.

required majority has the same meaning as set out in subrule 27.4. surplus assets has the same meaning as set out in subrule 44.3.

unfinancial member as at a particular date means a member who is required to pay amounts to the association but whose payments are in arrears at that date.

2.2 An expression used in this constitution in a particular context has the same meaning or definition as it has when used in a similar context in the Act.

2.3 The Acts Interpretation Act 1954, as in force on the day on which this constitution comes into effect, is to apply to this constitution as if it was an Act of the Queensland Parliament.

2.4 If a form prescribed requires:

(a) the form to be completed in a specified way; or

(b) specified information or documents to be included in, attached to or given with the form; or

(c) the form, or information or documents included in or attached to it, to be verified in a specified way, the form is not properly completed unless the requirement is complied with.

2.5 A reference in this constitution to a law is taken to include a reference to any law that:

(a) re-enacts or consolidates the law; or

(b) amends the law; or

(c) deals with substantially the same subject matter as the law after the repeal of the law; or

(d) is a statutory instrument under the law or one of the other laws mentioned in this subrule.

2.6 A provision of this rule or applying because of this rule, or a definition contained in another provision of this constitution, does not apply to the extent that applying the provision or definition leads to a result that is absurd, impossible or unintended.

3 OBJECTS

3.1 The objects of the association are:

3.1.1 to encourage, manage, promote and foster the values and best interests of the sport of basketball;

3.1.2 to promote positive player and stakeholder behavioural standards which uphold the values of basketball;

3.1.3 to establish and operate basketball competitions in which the association's registered players can participate;

3.1.4 to ensure that basketball at the association and in the tablelands area is conducted in accordance with the rules and practices adopted by BQ from time to time;

3.1.5 to abide by and comply with all rules, by-laws and resolutions made by BQ and any other administrators of basketball approved by BQ;

3.1.6 to work closely with the BQ game development officers and other personnel in developing basketball;

3.1.7 to work closely with the BQ clubs, other associations and clubs to ensure clear pathways are established for players who wish to pursue that direction;

3.1.8 ensure that basketball is played according to the Official Basketball Rules as set down by FIBA;

3.1.9 ensure that the sport of basketball is valuable to society and promotes ethical principles in all aspects of the sport;

3.1.10 defend the moral and material interests of basketball in an appropriate manner while respecting FIBA's Code of Ethics and its Code of Conduct and Fair Play;

3.1.11 promote, preserve, foster and encourage good fellowship, health and safety for registered participants and others involved in the sport of basketball;

3.1.12 implement and change codes of conduct and other policies for the sport of basketball and to ensure compliance with and enforce those codes and policies;

3.1.13 develop, promote or assist with coaching and talent identification programs for basketball participants; and

3.1.14 to do all such acts and things as are necessary, incidental, conducive or subsidiary to all or any of the above objects.

Each of the objects in this rule (other than those in paragraphs (p) and (q)) is a separate and independent object for which the association is established.

4 POWERS

4.1 The *association* has, in the exercise of its affairs, all the powers of an individual.

4.2 The *association* may, for example:

a) enter into contracts;
b) acquire, hold, deal with and dispose of property;
c) make charges for services and facilities it supplies; and
d) do other things necessary or convenient to be done in carrying out its affairs.

4.3 The *association* may also issue secured and unsecured notes, debentures and debenture stock for the *association*.

PART 2- MEMBERSHIP

5 CLASSES OF MEMBERSHIP

5.1 The membership of the association is to consist of the following classes:

Voting members

- Playing members (see rule 6)
- Associate members (see rule 7)
- Life members (see rule 8)

Non-voting members

- Honorary members (see rule 9)
- Junior members(see rule 10)

5.2 The number of members overall, and the number within each class, are unlimited.

6 PLAYING MEMBERS

6.1 Playing membership is open to all individuals who play or basketball or officiate in games conducted by the *association*.

6.2 The management committee may in its absolute discretion admit as a playing member any person who satisfies the criteria for playing membership as set out in rule 6.1.

6.3 Every applicant for playing membership must complete, sign and date an application form as supplied by the association and pay the membership fees. The contents and format of the form will be determined by *BQ* or the association prior to registration and could be paper, electronic or any other medium which is deem suitable.

6.4 The management committee may not deal with any application for playing membership unless the membership fees payable in respect of the application have been received by the association.

6.5 Notwithstanding rule 6.4, the management committee may in its absolute discretion admit or reject any application for playing membership without the necessity of assigning any reason. If an applicant is not admitted to playing membership, all monies paid by the applicant to the association must be returned forthwith in full.

6.6 Playing members are entitled to:

a) receive notice of, attend and speak at general meetings;
b) vote at a general meeting of members;
c) nominate and/or vote for management committee members; or
d) become a member of the management committee.

7 ASSOCIATE MEMBERS

7.1 Associate membership may be conferred upon any individual or association (whether incorporated or not) who demonstrates interest in the aims of the *association* or in the case of an association or other body where that entity's constituent documents provide for objects that are similar in substance to any or all of the objects of the *association* as set out in this *constitution*.

7.2 The *management committee* may in its absolute discretion admit as an associate member any person who satisfies the criteria for associate membership set out in rule 7.1.

7.3 There is no right of appeal from any application to the *management committee* for membership of the *association* as an *associate member*.

7.4 The membership of the *association* of an associate member is at the management committee's pleasure and:

a) the *management committee* may terminate the membership at any time; and
b) the *management committee* does not have to comply with the rules of natural justice in doing so; and
c) the appeal rights and procedures contained in this constitution do not apply in relation to the termination of the membership of the association of *associate members*.

7.5 Associate members are entitled to

7.5.1 receive notice of, attend and speak at general meetings;

7.5.2 vote at a general meeting of *members*;

7.5.3 nominate and/or vote for *management committee members*; or

7.5.4 become a member of the *management committee*.

8 LIFE MEMBERS

8.1 Life membership may be conferred upon such persons or corporations or associations (whether incorporated or not) as approved by the management committee in accordance with the life membership policy.

8.2 A *life member* is not required to pay *membership fees*.

8.3 A *life member* is entitled to one vote at meetings of the *association*.

9 HONORARY MEMBERS

9.1 Honorary membership may be conferred on individuals, corporations or associations (whether incorporated or not) who demonstrate outstanding service to basketball.

9.2 A *member* shall be admitted as a honorary member on the recommendation of the *management committee* or a *member* if that recommendation is approved by three quarters majority of *members* present and entitled to vote at a meeting of the *association*.

9.3 *Honorary members* are not required to pay *membership fees*.

9.4 *Honorary members* are entitled to receive notice of, attend and speak at meetings of the *association* but are not entitled to vote at such meetings.

10 JUNIOR MEMBERS

10.1 Junior membership may be conferred on individuals under the age of 18 years who play basketball or officiate in games conducted by the *association*.

10.2 Every applicant for junior membership must complete, sign and date an application form as supplied by the *association* and pay the *membership fees*. The contents and format of the form will be determined by *BQ* or the association prior to registration and could be paper, electronic or any other medium which is deem suitable.

10.3 The *management committee* may not deal with any application for junior membership unless the *membership fees* payable in respect of the application have been received by the *association*.

10.4 Notwithstanding rule 10.4, the *management committee* may in its absolute discretion admit or reject any application for junior membership without the necessity of assigning any reason. If an applicant is not admitted to junior membership, all monies paid by the applicant to the *association* must be returned forthwith in full.

10.5 *Junior members* are entitled to receive notice of and attend at meetings of the *association* but are not entitled to vote at such meetings.

11 AWARD OF MERIT AND OTHER AWARDS

11.1 The *management committee*, or a person or subcommittee appointed by the *management committee*, an award, on any individual from time to time.

11.2 The conferral of any such award does not constitute the recipient of the award as a member of the *association*.

PART 3 – TERMINATION OF MEMBERSHIP

12 GENERAL

12.1 A member's membership of the *association* ends if:

a) the membership lapses under this *constitution*; or
b) the member resigns the membership under this *constitution*; or
c) the member fails to pay his or her membership fees within the time provided for in this *constitution*; or
d) the member is expelled under this *constitution*.

12.2 If a member's membership of the *association* ends, the former member no longer has any of the rights or benefits previously conferred on the member under this *constitution*.

12.3 However, the former member must still comply with any obligation (including an obligation to pay *membership fees*) that arose or accrued before the membership ended.

12.4 A former member is not entitled to a refund of any *membership fees* paid by the former member before the member's membership of the *association* ended.

13 RESIGNATION

13.1 A *member* may resign as a member of the *association* by giving written notice to the secretary.

13.2 The resignation takes effect on the later of:

a) the date the notice was given; and
b) the date specified in the notice.

13.3 When the resignation takes effect, the membership ends.

13.4 A *member* who has resigned may be entitled to a refund if their resignation meets the criteria of the *associations* refund policy at the time of resignation. In the event the *association* does not have a refund policy, the *association* may consider the resigned members request for resignation.

14 EXPULSION AND SUSPENSION

14.1 The *management committee* may consider whether to expel or suspend a member if:

a) a person makes a complaint to the *management committee* or the *association* to the effect that an *expulsion* ground exists for the member; or
b) the *management committee* considers, on its own initiative, that there is an arguable case that an *expulsion* ground exists for the member.

14.2 If the *management committee* proposes to consider whether to expel or suspend a member, the *management committee* must ensure that the secretary gives the member at least 14 days' notice setting out the date, time and venue for the meeting of the *management committee* at which the expulsion is to be considered.

14.3 A member given a notice under subrule 14.2 may:

a) give the *management committee* written submissions;
b) attend the meeting stated in the notice and make submissions (but may not be represented by a lawyer or other representative other than a *representative*); or
c) do both.

14.4 The *management committee* may, before or at the meeting (or after the meeting if the *management committee* resolves to adjourn consideration of the proposed expulsion to a subsequent meeting of the *management committee*), conduct any investigations and inform itself in the way the *management committee* sees fit on the questions of:

a) whether an *expulsion* ground exists for the member concerned; and
b) what sanction is appropriate for the member if an *expulsion ground* is subsequently found to exist.

14.5 At the meeting (or at a subsequent meeting of the *management committee* if the *management committee* resolves to adjourn consideration of the proposed expulsion), the *management committee*:

a) must consider any submissions made under subrule 14.3; and
b) must consider any investigations or information gathered under subrule 14.4; and
c) is not bound by the rules of evidence; and
d) may resolve to:
    i. expel the member; or
    ii. suspend the member for a specified period.

14.6 The secretary must give the applicant notice of the *management committee's* decision on the application within 14 days after the decision.

14.7 When the notice is given:

a) if the *management committee* resolved to expel the member - the membership of the member ends; or
b) if the *management committee* resolved to suspend the member - the membership of the member ends and then recommences at the end of the period for which the *management committee* resolved to suspend the member.

14.8 An expulsion ground exists for a member if:

a) the *member* is convicted of an indictable offence; or
b) the *member* breaches this *constitution* or the *by-laws* (including by not paying *membership fees* on time); or
c) the *member* wilfully disobeys the rules or instructions of the *association* or permits or counsels any club or individual under its jurisdiction or control to do so; or
d) the *member* engages in, condones or does not take effective measures to prevent conduct that is injurious or prejudicial to the *association*, its character or interests or the sport of basketball generally; or
e) the *member* brings the game into disrepute; or
f) the *member* is not a fit and proper person or entity to be a *member* of the *association*.

15 EXPULSION AND SUSPENSION - APPEAL

15.1 This rule applies if the membership of the *association* of a former member (the ***appellant***) has ended under rule 14.

15.2 The *appellant* may, within 14 days after being given notice of the *management committee's* decision to expel or suspend the *appellant*, give notice to the secretary appealing against the decision.

15.3 The notice must be:

a) in the form prescribed and properly completed; and
b) accompanied by a statement of the reasons for the appeal, any written evidence in support of the appeal and any other matter the *appellant* wants to be taken into account in deciding the appeal.

15.4 Once subrule 15.3 has been complied with, the secretary must:

a) convene an *appeals panel* to hear the appeal; and
b) give the *applicant* at least 14 days' notice of the date, time and place of the meeting of the *appeals panel* at which the appeal will be heard.

15.5 At that meeting, the *appeals panel* must:

a) consider the notice of appeal and accompanying documents; and
b) decide whether to allow or reject the appeal.

15.6 The appeal is taken to be allowed only if at least 75% of the members of the *appeals panel* at the meeting resolve to allow it.

15.7 The *appeals panel* must, through the secretary, give notice to the applicant of the *appeals panel's* decision on the appeal within 14 days.

15.8 The decision of the *appeals panel* is final, and the applicant has no further right of appeal.

15.9 If the appeal is allowed, the *appellant's* membership of the *association* recommences on the date the appeal is allowed.

PART 4 – OTHER MEMBERSHIP MATTERS

16 MEMBERSHIP AND OTHER FEES

16.1 Membership fees are to be in the amount, and payable at the time and in the way, determined by the management committee.

16.2 Determinations under subrule 16.1 may:

a) differ for different classes of members; and
b) distinguish between different categories of members within a class; and
c) be made more than once during a financial year; and
d) provide for membership fees, or types of membership fees, to be payable according to a formula or a number of formulas; and
e) provide for fixed amounts, or parts or proportions, of membership fees to be payable at different times; and
f) by the application of any of these formulas, parts or proportions, mean that a member does not have to pay any membership fees.

16.3 The management committee may also prescribe:

a) other fees payable in connection with proceedings under this constitution, including fees to be paid to the association when a notice of appeal or particular kind of notice of appeal is lodged; and
b) the consequences of not paying those fees.

16.4 If a member does not pay any amount of membership fees (the overdue amount) on the date that it falls due for payment under a determination under subrule 16.1, the member must pay the association:

a) interest, calculated and accruing daily, on the overdue amount from the date that it fell due for payment until it is paid at the highest overdraft rate charged from time to time by the association's financial institution (or, if the association has more than 1 financial institution, the one of them chosen by the management committee); and
b) an administration fee, calculated and accruing daily, on the overdue amount from the date that it fell due for payment until it is paid at the rate of 3% per annum.

16.5 A certificate by a financial institution of the rate for a specified period for the purpose of paragraph 16.4(a) is conclusive evidence of the matters it deals with.

16.6 The interest and administration fees payable under subrule 16.4 are payable even if the association obtains a judgment against the member for the overdue amount or any part of it.

16.7 The management committee may waive the obligation to pay interest, administrative fees or both under this rule in the management committee's absolute discretion.

17 REGISTER

17.1 The secretary must keep a register of members.

17.2 The register must contain the following particulars:

a) the names and contact details of all members and the dates of their admission; and
b) deaths, resignations, terminations and reinstatements of membership; and
c) any further particulars prescribed.

17.3 A management committee member or a member may inspect (but not copy) the register of members if they:

a) apply to the secretary to do so; and
b) pay any fees prescribed for inspecting the register.

17. 4 The management committee may withhold information about a member (other than their full name) from the register being made available for inspection if the management committee has reasonable grounds to believe the disclosure of the information would put the member at risk of harm.

17.5 The secretary may inspect the register of members at any time.

17.6 Nobody else is entitled to access the register of members except as provided by law.

17.7 If granted access, a member of the association must not

a) use information obtained to contact, or send material to, another member of the association for purposes of advertising or

b) disclose information obtained from the register to someone else, knowing that information is likely to be used to contact or send material to another member of the association for the purpose of advertising.

17.8 17.7 does not apply if the use or disclosure of the information is approved by the association.

PART 5 - MANAGEMENT COMMITTEE MEMBERS

18 THE MANAGEMENT COMMITTEE

18.1 The association will have a management committee member (the management committee).

18.2 The management committee is to consist of not less than four (4) people and not more than twelve (12) people, one of whom must be elected or appointed as the president and one of whom must be elected or appointed as the treasurer.

19 ELIGIBILITY FOR ELECTION OR APPOINTMENT AS A MANAGEMENT COMMITTEE MEMBER

19.1 A person is eligible to be elected or appointed as a management committee member if the person:

a) is an individual; and
b) is not ineligible because of section 61A of the Act ; and
c) would not, immediately after election or appointment, vacate their office as a management committee member because of section 64(2) of the Act ; and
d) agrees to be bound by this constitution.

19.2 A person does not have to be a member of the association to be eligible to be elected or appointed as a management committee member provided that for a person who is not a member to be eligible to be elected as a management committee member, that person must represent a corporation or association member.

20 TENURE OF MANAGEMENT COMMITTEE MEMBERS

20.1 At each annual general meeting:

20.1.1 the office of a management committee member who was appointed to fill a casual vacancy is vacated; and

20.1.2 All management committee members must retire.

20.2 A management committee member's term of office starts at the end of the annual general meeting at which they are elected and ends at the end of the annual general meeting at which they retire.

20.2.1 At the request of an incoming management committee member and agreement of the management committee and the outgoing management committee member of the same position, an outgoing committee member may stay on for a period of three (3) months from the date of the AGM to assist with the handover and training of the incoming committee member.

20.3 A management committee member who retires under clause 20.1.2 may nominate for election or re-election, subject to clause 20.4.

20.4 A management committee member who has held office for a continuous period of ten (10) years or more may only be reappointed or re-elected by a special resolution.

20.5 However, the office of any management committee member (regardless of how they were elected or appointed) is vacated on any earlier date on which:

a) the management committee member vacates the office under section 64(2) of the Act; or
b) (b) the management committee member's resignation from the management committee takes effect; or
c) (c) the management committee member is removed from his or her position by a resolution of the members at a general meeting, the notice of which set out the intention to move the removal of the management committee member; or
d) (d) the management committee member is absent from meetings of the management committee for a period of 6 consecutive months without the permission of the other management committee members and the other management committee members resolve to remove the management committee member from office.

20.6 A person who vacates office as a management committee member under this rule is eligible to be re-elected or re-appointed as long as he or she is otherwise eligible under rule 19.

20.7 For paragraph 20.5(b), a resignation takes effect:

a) when the management committee member gives written notice to the secretary; or
b) on a later date specified in such a notice.

20.8 For paragraph 20.5(c) or (d), the management committee member concerned:

a) must first be given a reasonable opportunity to fully present his or her case at a meeting of the management committee (but is not entitled to legal or other representation); and
b) is taken to have been given that reasonable opportunity if the management committee member concerned is notified that the other management committee members intend to consider removing the management committee member from office at a specified management committee meeting at least 14 days after the notification.

21 ELECTION - OUTLINE OF PROCEDURE

21.1 At each annual general meeting, an election is to be held for the purpose of filling any positions on the management committee being vacated on the date of the annual general meeting under this constitution.

21.2 Prior to the annual general meeting, the secretary may:

a) call for nominations for new management committee members; and
b) advertise, invite or solicit applications for new management committee members.

21.3 A person (the candidate) who is eligible for election as a management committee member under this constitution may be nominated or apply for election as a management committee member.

21.3.1 A candidate is only taken to have been nominated and applied if any nomination or application form prescribed has been completed in writing prior to the AGM; and

21.5 If an insufficient number of candidates are nominated or apply to fill the number of positions on the management committee being vacated on the date of the annual general meeting,

nominations for the election of people (each of whom is also a candidate) as management committee members may be taken from the floor at the annual general meeting.

22 ELECTION - PROCEDURE AT AGM

22.1 At the annual general meeting, the members are to elect management committee members to fill the vacancies for which the election is to be held by voting in accordance with rules 36 and 37.

22.2 If the number of candidates for any election exceeds the number of positions to be filled, a ballot is to be taken at the annual general meeting.

22.3 For the purposes of the ballot:

a) balloting lists are to be prepared, containing the names of the candidates in alphabetical order by surname; and
b) the candidate receiving the highest numbers of votes in each election is elected; and
c) second or subsequent rounds of balloting are to be conducted only if two or more candidates receive the same number of votes in the same election; and
d) if paragraph (c) applies - the second or subsequent round is to involve only the candidates receiving that same number of votes; and
e) the way that the ballot is otherwise conducted is to be decided by the person chairing the annual general meeting.

23 CASUAL VACANCIES

23.1 This rule applies if there is a casual vacancy on the management committee.

23.2 The continuing management committee member or management committee members may appoint a person, who is eligible to be appointed as a management committee member under rule 19, to serve as a management committee member.

23.3 If the casual vacancy is in the position of Chairperson or Member of Finance, the continuing management committee member or management committee members must resolve to appoint a new Chairperson or Member of Finance, who: (

a) vacates the position as Chairperson or Member of Finance on the date of the next annual general meeting (but does not necessarily vacate his or her office as a management committee member at that time unless otherwise provided under this constitution); and
b) may be a person appointed under this rule to fill a casual vacancy or may be a continuing management committee member.

23.4 The continuing management committee member or management committee members may act despite the casual vacancy.

23.5 To remove any doubt, the management committee may fill a casual vacancy in the office of Chairperson or Member of Finance from an existing management committee member or from an outside person.

PART 6 - WHAT THE MANAGEMENT COMMITTEE DOES AND HOW IT OPERATES

24 MAIN FUNCTIONS AND POWERS

24.1 Subject to this constitution and any resolution of the members at any general meeting, the management committee:

a) has the general control and management of the administration of the affairs, property and funds of the association; and
b) is responsible for the overall governance and strategic direction of the association; and
c) has authority to interpret the meaning of this constitution and any matter relating to the association on which this constitution is silent.

25 MEETINGS

25.1 The management committee is to meet at least once every 2 months.

25.2 The secretary must, by no later than 31 January in each year, set and give the management committee members a schedule of the dates of meetings of the management committee for that year.

25.3 In addition:

a) the Chairperson; or
b) any 3 or more of the management committee members, may give the secretary a signed requisition to convene a meeting of the management committee.

25.4 The secretary must, within 7 days after being given a requisition under subrule 25.3:

a) convene a meeting of the management committee to be held within 14 days after the requisition was given; and
b) give the management committee members notice of the date, time and venue for the meeting.

25.5 If the secretary does not comply with subrule 25.4 after being given a requisition under subrule 25.3, the person or people who gave the requisition:

a) may convene a meeting of the management committee; and
b) must give the other management committee members at least 7 days notice of the date, time and venue for the meeting.

26 PROCEDURE AT MEETINGS

26.1 At a meeting of the management committee, a quorum is constituted by half the number of management committee members then holding office plus 1 (with any fractions disregarded).

26.2 If within 30 minutes from the time appointed for the commencement of a management committee meeting a quorum is not present, the meeting:

a) if it was convened following a requisition or has already been adjourned under paragraph (b) - lapses; or

b) otherwise - stands adjourned to the same day in the next week at the same time and place, or to another day, time or place determined by the management committee.

26.3 A meeting of the management committee is to be chaired by:

a) the Chairperson; or
b) if the Chairperson is not at the meeting:
   i. another Chairperson assigned prior to the meeting with the approval of the management committee.
   ii. within 15 minutes after the time appointed for the meeting - another management committee member present at the meeting and chosen by the management committee members at the meeting; or
c) if the Chairperson is temporarily absent from the meeting without the leave of the meeting or is incapacitated from chairing the meeting or unwilling or unable to do so:
   i. another management committee member present at the meeting and chosen by the management committee members at the meeting while the Chairperson is absent, incapacitated, unwilling or unable; and
   ii. the Chairperson for the rest of the meeting.

26.4 A management committee member cannot attend a meeting of the management committee by a proxy, attorney or other representative.

26.5 Questions arising at a meeting of the management committee:

a) are to be decided by a majority of votes (by show of hands if any dissent); and
b) may be decided by the person chairing the meeting exercising a casting vote, in addition to his or her deliberative vote, if there is an equality of votes; and
c) are regarded as decided in the negative if there is still an equality of votes because the person chairing the meeting cannot or does not exercise the casting vote.

26.6 The declaration by the person chairing the meeting of the outcome of a vote, and its subsequent recording in the minutes of the meeting, are conclusive evidence of the outcome.

26.7 A management committee member who has a material personal interest in a matter that is being considered at a management committee meeting must not:

a) be present while the matter is being considered at the meeting; or
b) vote on the matter, and if the management committee member does vote the vote is not to be counted.

26.8 The minutes of every meeting of the management committee are to be signed by a person who chaired that meeting and the President at the next meeting of the management committee.

26.9 The person chairing a management committee meeting has the power to rule conclusively on any matter of meeting procedure in relation to which this constitution and the by-laws are silent.

26.10 Except as provided in this rule, the management committee may meet together and regulate its proceedings in the way it prescribes.

27 RESOLUTIONS WITHOUT MEETINGS

27.1 The management committee may pass a resolution without a meeting being held if the required majority of the management committee members agree in writing that they are in favour of the resolution. The management committee must make the secretary aware and ensure that this approved resolution is formally recorded at the next management committee meeting.

27.2 For this rule: required majority means at least half plus one of the management committee members (with any fraction disregarded) who would be entitled to vote on the resolution if it was moved at a management committee meeting.

28 USE OF TECHNOLOGY BY MANAGEMENT COMMITTEE

28.1 A management committee meeting may be held at 2 or more venues using any technology that gives the management committee members present as a whole a reasonable opportunity to participate.

28.2 However, this is only the case if each of the management committee members present at any of the venues acknowledges his or her presence to all the other management committee members present at any of the venues at the start of the meeting.

28.3 A management committee member who is present at a venue at the start of a management committee meeting, or when the person chairing the meeting declares a quorum to be present, by using any technology is taken to be present for the duration of the meeting for the purpose of deciding whether a quorum was present for the meeting.

29 SUBCOMMITTEES

29.1 The management committee may establish and disband subcommittees consisting of people appointed by the management committee or chosen in the way decided by the management committee.

29.2 A subcommittee:

a) has the functions determined by the management committee from time to time; and
b) has any powers delegated to it by the management committee from time to time (which delegations may be revoked or altered by the management committee at any time); and
c) must obey any regulations imposed on it by the management committee.

29.3 The management committee may:

a) change the regulations imposed on, or functions determined for, a subcommittee from time to time; and
b) enlarge or reduce the powers of a subcommittee from time to time.

29.4 Subject to any regulations under this rule, meetings of subcommittees are to be conducted in the same way as meetings of the management committee (with any necessary adaptations).

29.5 The management committee may not transfer or delegate its liability to a subcommittee.

PART 7 – GENERAL MEETINGS

30 ANNUAL GENERAL MEETINGS

30.1 An annual general meeting of the members must be held:

a) at least once each year; and
b) no later than 31st July each year, or within the maximum period permitted by the Associations Incorporation Act, whichever is later; and
c) at the time and place decided by the management committee.

30.2 The following business must be transacted at every annual general meeting:

a) the receiving of the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the association for the last financial year; and
b) the presenting by the management committee of a written report of the association's operation throughout the year and an audited statement of the association's financial position (which can be incorporated in the statement referred to in paragraph (a)); and
c) the receiving of the auditor's report on the financial affairs of the association for the last financial year; and
d) the presenting of the audited statement to the meeting for adoption; and
e) the election of management committee members; and
f) the appointment of an auditor; and
g) motions set out in the agenda for the meeting; and
h) any other business allowed or required by the Chairperson, the meeting or this constitution or the by-laws.

31 SPECIAL GENERAL MEETINGS

31.1 The secretary must convene a special general meeting, to be held within 3 months, if:

a) given a requisition by 3 or more management committee members; or
b) given a requisition by the Chairperson; or
c) given a requisition by a simple majority of the members.

31.2 A requisition under subrule 31.1 must clearly state the reasons why the special general meeting is being convened and the nature of the business to be transacted at it.

31.3 If the secretary does not give notice of a special general meeting within 14 days after being given a requisition under subrule 31.1, the person or people who gave the requisition may give the notice instead.

32 NOTICE OF GENERAL MEETINGS

32.1 The secretary must give members and management committee members at least 14 days' notice of any general meeting.

32.2 The way the notice is given is to be prescribed by the management committee.

32.3 The notice of a general meeting must include:

a) a provisional agenda or short summary of the business proposed for the meeting; and
b) a call for notices of motion; and
c) a call for nominations for any management committee positions to be filled at the meeting.

33 NOTICES OF MOTION

33.1 A management committee member or member who wants a matter to be discussed, or a motion to be put, at an annual general meeting may give the secretary notice of the matter or motion at least 21 days before the date appointed for the annual general meeting.

33.2 The secretary must add those matters and motions to the agenda for the annual general meeting.

33.3 The secretary must, at least 14 days before the date appointed for the annual general meeting, give everybody who is entitled to be given notice of the meeting:

a) copies of the notices given to the secretary under this rule; or
b) an amended agenda for the meeting.

34 QUORUM AND ADJOURNMENT

34.1 At any general meeting the number of members required to constitute a quorum shall be the number of members presently on management committee plus one or the total number of members, minus 1 (if the committee makes up the entire membership).

34.2 No business may be conducted at a general meeting unless a quorum is present at the time the meeting begins its business.

34.3 If a quorum is not present within 30 minutes after the time appointed for the general meeting, then:

a) if the meeting has already been adjourned under paragraph (b) - the members present constitute a quorum despite anything else in this constitution; or
b) otherwise – the meeting stands adjourned to the same day in the next week at the same time and place, or to another day, time or place determined by the management committee.

34.4 The person chairing a general meeting may, and must if directed by a resolution of the meeting, adjourn the meeting from time to time and from place to place.

34.5 If a general meeting is adjourned under subrule 34.4:

a) only business left unfinished may be conducted at the adjourned meeting; and
b) the secretary is to give fresh notice to members of the adjourned meeting, in the same way as was required for the original meeting, if the adjournment is for 30 days or more; and
c) otherwise, the secretary does not need to give fresh notice to members of the adjourned meeting.

35 PROCEDURE

35.1 A general meeting is to be chaired by:

a) the Chairperson; or
b) if the Chairperson is not at the meeting within 15 minutes after the time appointed for it - a person present at the meeting and chosen:
   i. by the management committee members at the meeting; or
   ii. if there are no management committee members at the meeting - by the meeting; or
c) if the person chairing the meeting under paragraph (a) or (b) is temporarily absent from the meeting without the leave of the meeting or is incapacitated from chairing the meeting or unwilling or unable to do so:
   i. a person present at the meeting and chosen by the management committee members at the meeting (or, if there are no management committee members at

the meeting, by the meeting) while the person chairing the meeting under paragraph (a) or (b) is absent, incapacitated, unwilling or unable; and

ii. the person chairing the meeting under paragraph (a) or (b) for the rest of the meeting.

35.2 The person chairing a general meeting must conduct the meeting in a proper and orderly way.

35.3 The minutes of every general meeting are to be signed by a person who chaired that meeting and the President at the next general meeting.

35.4 The person chairing a general meeting has the power to rule conclusively on any matter of meeting procedure in relation to which this constitution and the by-laws are silent.

36 VOTING RIGHTS

36.1 Every question, matter or resolution shall be decided by a majority of votes of the members present and entitled to vote.

36.2 If the votes on a question or motion are equal, the person chairing the meeting has a casting vote (even though that person might not otherwise have a vote).

36.3 Voting shall be by a show of hands.

36.4 The declaration by the person chairing a general meeting of the outcome of a vote, and its subsequent recording in the minutes of the meeting, are conclusive evidence of the outcome unless at least 20% of the members present at the meeting demand a ballot.

36.5 If at least 20% of the members present at a general meeting demand a ballot, the person chairing the meeting must appoint 2 people present at the meeting to conduct the ballot in the way decided by the person chairing the meeting.

36.6 The declaration by the person chairing a general meeting of the outcome of a ballot, and its subsequent recording in the minutes of the meeting, are conclusive evidence of the outcome.

37 PROXIES, ETC

37.1 An instrument appointing a proxy is not valid unless:

a) it is given by the member or the representative of the member; and
b) it is in writing; and
c) it is in, or substantially in, the form set out in attachment 2 to this constitution or in another form prescribed; and
d) it is served at the association's registered office at least 2 business days before the date of the meeting or delivered to the secretary prior to the commencement of the meeting.

37.2 Unless an instrument appointing a proxy says otherwise, the instrument is taken to confer the authority to:

a) demand or join in demanding a poll; and
b) vote however the appointed member decides; and
c) do those things at any adjournment of the meeting, but only to the extent that the member granting the proxy has those rights

38 USE OF TECHNOLOGY AT A GENERAL MEETING

38.1 If the management committee decides, a general meeting may be held at 2 or more venues using any technology that gives the members present as a whole a reasonable opportunity to participate.

38.2 However, this is only the case if each of the members present at any of the venues acknowledges his or her presence to the person chairing the meeting at the start of the meeting.

38.3 A member who is present at a venue at the start of a general meeting, or when the person chairing the meeting declares a quorum to be present, by using any technology is taken to be present for the duration of the meeting for the purpose of deciding whether a quorum was present for the meeting.

PART 8 – FINANCIAL ADMINISTRATION AND MANAGEMENT

39 APPLICATION OF INCOME AND PROPERTY

39.1 The income and property of the association must be used and applied solely in the promotion of the association's objects and the exercise of its powers.

39.2 No portion of the association's income or property may be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit among any of the association's members.

39.3 However, this does not prevent:

a) the association paying interest to a member in good faith on an amount advanced by the member to the association; or
b) remuneration for services actually rendered to or for the association; or
c) the payment or reimbursement of out of pocket expenses, money advanced, reasonable and proper charges for goods hired or leased by the association or reasonable and proper rent and outgoings for premises let to the association.

40 ACCOUNTING REQUIREMENTS

40.1 The association must comply with the accounting requirements under the Act.

40.2 Attachment 1 sets out the requirements as at the date on which this constitution came into effect.

41 FINANCIAL STATEMENTS AND AUDIT

41.1 The secretary must ensure that a financial management report, summarising the association's income and expenditure since the last one was prepared, is prepared and presented at least once a month to the management committee members.

41.2 The association must comply with the financial and auditing requirements under the Act.

41.3 Attachment 1 sets out the requirements as at the date on which this constitution came into effect.

42 FINANCIAL YEAR

42.1 The financial year of the association runs from 1 January to 31 December in each calendar year.

PART 9 - MISCELLANEOUS

43 WINDING-UP

43.1 The association may be wound-up as provided in part 10 of the Act.

44 DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

44.1 This rule applies if the association is wound-up under part 10 of the Act and there are surplus assets.

44.2 The surplus assets must not be distributed among the members but must be given to another entity:

a) that has objects similar to the association's objects; and
b) the constituent documents of which prohibit the distribution of the entity's income and assets to its members; and
c) which is exempt from income tax under the Income Tax Assessment Act 1936 and/or Income Tax Assessment Act 1997. 44.3 In this rule: surplus assets has the meaning given by subsection 92(3) of the Act

45 PROTECTION FROM INVALIDITY

45.1 Any resolution, determination or decision made, or act or thing done, in good faith by any of the following is to be regarded as valid and fully effective in spite of a protected invalidity:

a) a general meeting; and
b) a meeting of the management committee; and
c) the management committee; and
d) a management committee member; and
e) a meeting of a subcommittee; and
f) a subcommittee; and
g) the secretary.

45.2 In this rule: protected invalidity means:

a) the fact that a management committee member or person purporting to be a management committee member or to hold a particular office or position was not a management committee member or did not hold the office or position or was disqualified; and
b) a defect in the appointment or election of a management committee member or person purporting to hold a particular office or position; and
c) a defect in the convening, giving notice, calling or conduct of a meeting.

46 BY-LAWS

46.1 The management committee may make, amend or repeal by-laws:

a) for the internal management of the association; or
b) providing for or dealing with a matter this constitution allows to be prescribed; or
c) providing for or dealing with a matter the management committee has jurisdiction over.

46.2 The by-laws:

a) may impose monetary liabilities on members (including fines not exceeding 5 penalty units for non-compliance with this constitution or the by-laws); but
b) must not conflict with this constitution or any law.

46.3 Each member must comply with the by-laws as if the by-laws were in this constitution.

46.4 Any by-law or part of a by-law may be repealed by a special resolution passed at a general meeting.

46.5 However, subrule 46.4 does not confer the power to make or amend a by-law or part of a bylaw.

46.6 The secretary must keep a register of the by-laws in force from time to time at the association's registered office.

46.7 A member or a management committee member may inspect the register at the association's registered office after giving reasonable notice to the secretary.

46.8 In this constitution: by-laws includes codes of conduct and policies expressed to take effect as by-laws.

47 CHANGING THIS CONSTITUTION

47.1 Subject to the Act, this constitution may be amended, rescinded or added to from time to time by a special resolution passed at any general meeting.

47.2 However, an amendment, rescission or addition is valid only if the chief executive as provided for under the Act, registers it.

48 GRIEVANCE PROCCESS

48.1 This rule sets out a grievance procedure for dealing with a dispute under the rules between parties as mentioned in section 47A(1) of the Act. To remove any doubt, it is declared that the grievance procedure can not be used by a person whose membership has been terminated if the rules provide for an appeal process against the termination.

48.2 A member (the aggrieved party) initiates the grievance procedure in relation to the dispute by giving a notice in writing of the dispute to—

a) the other party; and
b) if the other party is not the management committee—the management committee.

48.3 If 2 or more members initiate a grievance procedure in relation to the same subject matter, the management committee may deal with the disputes in a single process and the members must choose 1 of the members (also the aggrieved party) to represent the members in the grievance procedure.

48.4 Subject to rule 48.7, the parties to the dispute must, in good faith, attempt to resolve the dispute.

48.5 If the parties to the dispute cannot resolve the dispute within 14 days after the aggrieved party initiates the grievance procedure, the aggrieved party may, within a further 21 days, ask the association's secretary to refer the dispute to mediation.

48.6 Subject to 48.7, if the aggrieved party asks the association's secretary to refer the dispute to mediation under 48.5, the management committee must refer the dispute within 14 days after the request. If the aggrieved party does not ask the association's secretary to refer the dispute to mediation under 48.5, the grievance procedure in relation to the dispute ends.

48.7 Grievance procedures are not continued in the following particular circumstances.

a) a member initiates a grievance procedure in relation to a dispute and the association or association's management committee is the other party to the dispute; or
b) the aggrieved party asks the association's secretary to refer the dispute to mediation under 48.5.
c) The management committee does not have to act under 48.4 or 48.6 if—
    i. the aggrieved party has, within 21 days before initiating the grievance procedure, behaved in a way that would give the management committee grounds for taking disciplinary action under the rules against the aggrieved party in relation to the matter the subject of the grievance procedure; or
    ii. before the grievance procedure was initiated, a process had started to take action under the rules against the aggrieved party or terminate the aggrieved party's membership, as provided for under the rules, and the dispute relates to that process or to a matter relevant to that process; or
    iii. the dispute relates to an obligation under the Liquor Act 1992 or any other State law to prevent the entry of the aggrieved party to, or to remove the aggrieved party from, premises used by the association, or to refuse to serve liquor to the aggrieved party at the premises; or
    iv. the dispute could reasonably be considered frivolous, vexatious, misconceived or lacking in substance, or relates to a matter that has already been the subject of the grievance procedure.

48.8 If a dispute under rule 48.1 is referred to mediation—

a) the parties to the dispute must choose a mediator to conduct the mediation; or
b) if the parties are unable to agree on the appointment of a mediator within 14 days after the dispute is referred to mediation, the mediator must be—
    i. for a dispute between a member and another member—a person appointed by the management committee; or
    ii. for a dispute between a member and the management committee or the association—an accredited mediator or a mediator appointed by the director of a dispute resolution centre.

48.9 An accredited mediator may refuse to be the mediator, or the director of a dispute resolution centre may refuse to appoint a mediator, to mediate the dispute.

48.10 If 48.9 applies, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

48.11 If a mediator is appointed under 48.8, the mediator must start the mediation as soon as possible after the appointment and try to finish the mediation within 28 days after the appointment. This does not apply if the mediator is a mediator appointed by the director of a dispute resolution centre.

48.12 The mediator—

a) must give each party to the dispute an opportunity to be heard on the matter the subject of the dispute; and
b) must comply with natural justice; and
c) must not act as an adjudicator or arbitrator; and

d) during the mediation—may see the parties with or without their representatives, together or separately.

48.13 The parties to the dispute must act reasonably and genuinely in the mediation and help the mediator to start and finish the mediation within the period mentioned in 48.11.

48.14 The costs of the mediation, if any, are to be shared equally between the parties unless otherwise agreed.

48.15 If the mediator can not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

48.16 A party to a dispute may appoint any qualified person to act on behalf of the party in the grievance procedure.

48.17 A person is qualified to act on behalf of a party if the person—

a) has sufficient knowledge of the matter the subject of the dispute to be able to represent the party effectively; and
b) is authorised to negotiate an agreement for the party.

48.18 If a party appoints a person under subrule (1) to act on the party's behalf, the party must give written notice of the appointment to each of the following entities—

a) the other party to the dispute;
b) the management committee;
c) if a mediator has been appointed before the party appoints the person—the mediator.

48.19 Any meeting or mediation session required under the grievance procedure may be conducted by electronic means if the parties to the dispute and, for a mediation, the mediator agree.

49 SECRETARY

49.1 The management committee must ensure that the association always has a secretary who is an adult residing in Queensland, or in another State but not more than 65km from the Queensland border, who is—

a) a member of the association elected by the association as secretary; or
b) any of the following persons appointed by the management committee as secretary—
   i. a member of the association's management committee;
   ii. another member of the association;
   iii. another person.

49.3 There may be more than 1 secretary.

49.4 To remove any doubt, the President of the association may be appointed as a secretary.

49.5 The secretary functions include, but are not limited to - :

a) calling meeting of the association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the management committee of the association.
b) full and accurate minutes of all questions, matters, resolutions and proceedings of each general meeting and management committee meeting are kept in a minute book; and

c) copies of all correspondence and other documents relating to the association are kept; and
d) maintain the register of the member of the association.

49.6 To ensure the accuracy of the minutes kept under paragraph 49.5(a), they are to be signed as set out in this constitution and their signing in that way is proof of their accuracy.

49.7 If asked by a member of the association, the secretary must, withing 28 days after the request is made –

a) make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place; and
b) give the member copies of the minutes of the meeting.

50 MEMEBERS OF THE MANAGEMENT COMMITTEE

50.1 The management committee of the association consists of a president, treasurer, and any other members of the association elected at a general meeting.

50.2 A member of the management committee, other than the secretary appointed by the management committee rule under 49.1 (b)(iii), must be a member of the association.

51 DOCUMENTS AND RECORDS

50.1 The management committee is to provide for the safe custody of books, documents, instruments of title and securities of the association.

50.2 The association must keep the records required by the Act.

52 NOTICES

51.1 If a provision of this constitution requires or allows notice to be given, or for a person to be notified of a matter, notice may be given under this rule.

51.2 If the notice is to be given to the association, it may be given in a way provided for in the Act.

51.3 If the notice is to be given to a member candidate, applicant, appellant or management committee member it may be given:

a) in a way provided for in section 39 of the Acts Interpretation Act 1954; or
b) by ordinary prepaid post to the person's postal address last known to the association.

51.4 A member, candidate, applicant, appellant or management committee member must notify the association of any change to the person's:

a) residential, business or postal address; or
b) telephone or facsimile number; or
c) email address.

53 INDEMNITY

52.1 The association must indemnify an officer of the association against any liability incurred by the officer:

a) as an officer of the association; and
b) to a person other than the association or any entity of which the association is a holding company.

52.2 However, subrule 52.1 does not apply to a liability that arose out of conduct, acts or omissions by the officer to the extent they involve:

a) dishonesty; or
b) a lack of good faith.

52.3 In this rule:

holding company has the meaning given by section 9 of the Corporations Act 2001.

liability includes costs and expenses incurred in defending any civil or criminal proceedings in which:

a) judgment is given in favour of the officer; or
b) the officer is acquitted, found not liable or relieved from liability.

officer includes:

a) a management committee member, a secretary and an auditor; and
b) a former management committee member, a former secretary and a former auditor.

ATTACHMENT 1 – REQUIREMENTS OF THE ACT

ACCOUNTING REQUIREMENTS

1 The association must keep an account in Queensland with a financial institution.

2 Records and accounts must be kept in English language showing full and accurate particulars of the financial affairs of the association.

3 The association's treasurer, or other authorised officer, must:

- a) receive all amounts paid to the association and, if asked, immediately give a receipt for the amounts; and
- b) as soon as practicable:
  - i. deposit each amount received into the association's account with a financial institution; and
  - ii. enter the particulars of each amount received, and payments made by the association, into the association's reconciliation.

4 The association must keep an account in Queensland with a financial institution.

5 Payments of less than $199 may be made from a using the associations bank card.

6 Payments of $199 or more must be made by cheque, bank card or electronic funds transfer with the approval of 2 committee members.

7 Particulars of all payments from, and reimbursements to, the bank card account must be recorded in the bank card reconciliation.

8 The management committee must:

- a) approve or ratify the association's expenditure; and
- b) ensure the approval or ratification is recorded in the management committee's minute book.

9 The association's expenditure must be supported by adequate documentation filed in chronological order and kept at a place decided by the management committee.

10 A negotiable instrument issued by the association must be signed by any 2 of the following association members:

- a) the President;
- b) the secretary;
- c) the Treasurer;
- d) another member approved by the management committee.

11 The Treasurer, or other authorised officer, must regularly:

- a) balance the cash book; and
- b) make a reconciliation between the cash book and the balance of the association's account with a financial institution.

12 The association must keep its financial records:

- a) in the State; and
- b) for at least 7 years.

13 On behalf of the management committee, the treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.

14 The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

RECORD-KEEPING REQUIREMENTS

15 The association must keep the following records:

- a) a cash book or statement of amounts received and paid;

b) a receipt book of receipt forms;
c) records of the account the association keeps with a financial institution that are given to the association by the financial institution;
d) a register of members;
e) a register of assets;
f) a petty cash book;
g) a minute book of the management committee.

16 Unless a receipt book mentioned in 12(b) is kept by way of a computer system record, it must:
a) contain receipt forms printed in duplicate and consecutively numbered; or
b) be kept on the numbered butt principle.

17 If the chief executive considers the appropriate circumstances exist, the chief executive may also require an incorporated association to keep the following records:
a) a ledger;
b) a journal.

18 The association must ensure its records are kept in the English language in a way that:
a) correctly records and explains its transactions and financial position; and
b) enables the statement mentioned in section 59(1)(a) of the Act to be prepared; and
c) enables its accounts and affairs to be properly and conveniently audited.

SECRETARY

19 If a vacancy happens in the office of secretary for the association, the management committee members must ensure a secretary is appointed or elected for the association within 1 month after the vacancy happens.

20 The management committee must ensure the secretary is an individual residing in Queensland, or in another State but not more than 65 km from the Queensland border, who is:
a) a member of the association elected by the association as secretary; or
b) a member of the management committee appointed by the management committee as secretary; or
c) appointed by the management committee as secretary (whether or not the individual is a member of the association).

21 The management committee may appoint and remove the association's secretary at any time.