

Metropolitan Caloundra Surf Life Saving Supporters Club Inc



CONSTITUTION

**Adopted at a Special General Meeting
on Sunday 10 June 2007**

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METROPOLITAN CALOUNDRA SURF LIFE SAVING SUPPORTERS CLUB INC.

THE CONSTITUTION

1 - NAME AND INTERPRETATION

1.1 NAME

The name of the incorporated Association shall be Metropolitan Caloundra Surf Life Saving Supporters Club Inc.

The following terms shall have the meanings that are set out against them respectively:

Association

The Metropolitan Caloundra Surf Life Saving Supporters Club Inc.

Club

Metropolitan Caloundra Surf Life Saving Club Inc.

Member

Unless otherwise specifically described shall mean Ordinary Members, Foundation Members, Life Members, Perpetual Members, Social Members and Temporary Members.

Management Committee

The Committee responsible for the control of the business and operations of the Association.

By-Laws

Supporters Clubs may make their own e.g. modes of dress etc.

General Meeting

Any General Meeting including the Annual General Meeting.

Committee Meeting

Meeting of the Management Committee.

1.2 INTERPRETATION

In this Constitution:

- a) a reference to a function includes a reference to a power, authority and duty;
- b) a reference to the exercise of a function includes where the function is a power, authority or duty a reference to the exercise of the power or authority of the performance of the duty;
- c) words importing the singular include the plural and vice versa;
- d) words importing any gender include the other genders;
- e) references to persons include corporations and bodies politic;
- f) references to a person include the legal personal representatives, successors and permitted assigns of that person,

- g) a reference to a statute, ordinance code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them (whether of the same or any legislative authority having jurisdiction).
- h) The specification of the objects and powers of the Association in Clause 3 of this Constitution are not in any particular order and are not to be construed so as to lead to the construction that any object or power is more important than any other object or power, nor than any object or power which is specified in detail is more important than any object or power which has not been specified in detail, and no particular object or power will be limited by reference to any other and the rule of construction known as the *ejusdem generis* rule shall not apply.
- i) If any provision of this Constitution or any phrase contained in it is invalid or unenforceable in any jurisdiction, the phrase or provision is to be read down for the purpose of that jurisdiction. If possible so as to be valid and enforceable and otherwise it shall be severed to the extent of the invalidity or unenforceability, without affecting the remaining provisions of this Constitution or affecting the validity or enforceability of that provision in any other jurisdiction.

2 – OBJECTS

The objects for which the Association is established are:

- 2.1 To conduct fund raising activities on behalf of Metropolitan Caloundra Surf Life Saving Club Inc.
- 2.2 To promote, foster, support and encourage the aims and objects of Metropolitan Caloundra Surf Life Saving Club Inc. and all matters pertaining thereto.
- 2.3 To provide for members and for members' guests a "club" with all the usual facilities.
- 2.4 In furtherance of the objectives of the Association, to apply for and obtain and hold a Registered Club Licence or any other licence or licences or permits under the Liquor Act of Queensland and Law of any other Act or Laws for the time being operative.
- 2.5 In furtherance of the objects to obtain and hold any licence or permission necessary for and to carry on the business of restaurant/cafe keepers and/or sellers of all kinds of goods, provisions, etc. used or desired by members.
- 2.6 To render aid either financial or by other means to the Club which shall be affiliated with Surf Life Saving Australia.
- 2.7 To carry on all such activities as may be necessary or convenient for the purposes of the Association or any of them.
- 2.8 To do all such acts, deeds, matters and things and to enter into and make such agreements as are incidental or conducive to attainment of the objects of the Association or any of them.

3 - POWERS

The powers of the Association are:

- 3.1 To purchase, take on, lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with any of the objects of the Association; provided that in case the Association shall take or hold any property which may be subject to any trusts the Association shall only deal with the same in such manner as is allowed by law having regard to such trusts.
- 3.2 To subscribe to, become a participant of and cooperate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association.
- 3.3 In furtherance of the objects of the Association to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Association's premises.
- 3.4 To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- 3.5 To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.
- 3.6 To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured noted debentures or other securities of the Incorporated Association, or in or about the Incorporated Association or in the furtherance of its objects.
- 3.7 To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof providing that any such activities are in accordance with the persuasions of the Club.
- 3.8 To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit giving preference to the following:
 - a) Donation of funds to the Club on a monthly basis
 - b) Creation of Contingency Fund
- 3.9 To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects.

- 3.10 In furtherance of the objects of the Association to transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the Incorporated Associations with which the Association is authorised to amalgamate.
- 3.11 To make donations for patriotic, charitable or community purposes.
- 3.12 To do such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

4 - MEMBERSHIP

- 4.1 No person shall be eligible for any class of membership until he has obtained the age of 18 years.
- 4.2 The membership of the Association shall consist of the following classes of members, and all categories of membership, except Foundation Members and Perpetual Members, shall be unlimited in numbers:
 - a) Ordinary Members
Ordinary Members' privileges shall be limited only to the extent that eligibility is dependent upon them also being voting members of the Club. An ordinary membership shall automatically revert to that of Social Membership when voting membership of the Club no longer applies to the member.
 - b) Social Members
Social Members shall be entitled only to the social privileges of the Association and to participate in such games, recreation and pastimes as determined by the Committee from time to time but shall not be entitled to vote at any meeting of the Association and shall have either of the following qualifications:
 - i) be a non-voting member of the Club
 - ii) payment of a prescribed fee and acceptance by the Management Committee as a social member.
 - c) Foundation Members
Foundation Members shall be entitled to similar privileges as provided for Social Members and in addition shall have suitable visible recognition within the Association's premises. They shall be limited in number as determined by the Management Committee and shall be required to submit a once only fee of \$250.00.
 - d) Perpetual Members
Perpetual Members shall be entitled to similar privileges as provided for Social Members and in addition shall have suitable visible recognition within the Association's premises. They shall be limited in number as determined by the Management Committee and shall be required to submit a once only fee of \$200.
 - d) Life Members
Any member may be elected to Life Membership of the Association by a two-thirds majority of voting members present at the Annual General Meeting provided that:-

- (i) He shall have rendered special service to the Association within the area of, or on behalf of, the Association, or in the opinion of the Management Committee a member should so be elected.
 - (ii) Prospective nominees' names shall be considered by the Management Committee meeting. There shall be no restriction on numbers for consideration and election at the Annual General Meeting, and a two-thirds (2/3) majority of those voting is required to confirm the award.
 - (iii) A Life Member shall receive a Life Membership badge and shall be entitled to similar privileges as provided for Social Members for life without the payment of any subscription.
- e) Temporary Members
Temporary Membership may be granted under the following conditions:
- (i) the person shall be classified in at least one of the following categories -
 - (a) overseas or interstate visitors, for a period of one day at a time only;
 - (b) intrastate visitors whose principal place of residence is located at least 20 kilometres from the Association premises, for a period of one day at a time only;
 - (c) members of other "clubs" and their guests (at a limit of 2 guests per member) provided that appropriate reciprocal rights are in force with those "clubs", for a period of one day at a time only;
 - (d) persons who have made application for full membership who have also paid the prescribed application fee, during the period they are awaiting a decision from the Management Committee, for a period not exceeding 30 days from the date of receipt of such application;
 - (e) members of other "clubs" who are either the managers or the members of a sporting team visiting the Club for the purpose of taking part in sporting competitions or social functions, for the days of the competitions or functions only.
 - (ii) Before those persons are admitted as Temporary Members they provide to a person appointed by the Association, some adequate form of proof that they fall within at least one of the above categories.

Note: Acceptable forms of proof are as follows:

- (a/b) A passport or a Driver's Licence showing the person's principal place of residence or a public transport ticket showing the person's point of embarkation.
- (c) A current membership badge or card of a "club" that has appropriate reciprocal rights, or verbal assurance from a member of a "club" who has shown such a badge or card that a person is their guest.
- (d) A copy of an application for full membership certified by an official of the Association as being a true copy.

- (e) Satisfactory evidence such as a "club" membership badge or card or an invitation to take part in a certain sporting competition or social function.
 - (iii) After an acceptable form of proof is given, those persons may be admitted as "Temporary Members" and the application date, their names and addresses, names of their "clubs" in the case of categories i) (c) and i) (e) above, the category of temporary membership and the expiry date of their temporary membership must be transcribed into the "Temporary Members Register" which shall be in a bound form and each entry separately numbered.
 - (iv) After those details are placed in the "Temporary Members Register" those persons who have been granted temporary membership must be given a "Temporary Membership Card" transcribed with the entry number, category of temporary membership, issue date and expiry date.
 - (v) All Temporary Members must show their "Temporary Membership Card" when purchasing liquor or when instructed to do so by an Association employee or a member of the Association's Management Committee.
 - (vi) Temporary Members shall not be entitled to vote at any meeting of the Association.
 - f) Visiting Members
Any person whose principal place of residence is in excess of 20 kilometres from the Association premises, or interstate or overseas, who is a bona fide visitor to the district for any period exceeding 14 days, and who otherwise would be eligible to apply for any other class of membership, may on completion of a prescribed application form and payment of such subscription as determined under Clause 5/5.1, be approved by the President or the Association Manager as a Visiting Member for the purpose of using the Association's amenities. Such members shall not be entitled to vote at any meetings of the Association, nor take part in the administration of the Association's affairs.
 - g) Renewal of Membership
Members of the Association must renew their membership of the Association annually on a common date as decided upon by the Management Committee.
- 4.3 Reciprocal Rights
Members, in the category of active, active reserve, long service, award or life member, and elected officers of Club, Branch and State Centre, shall have reciprocal rights within the facilities of clubs throughout Queensland, and the conditions of entry upon and use of any club facilities are at the discretion of the host club.

5 - MEMBERSHIP FEES

- 5.1 The membership fees for each class of membership shall be such sum as the members shall from time to time at any General Meeting so determine.

- 5.2 The membership fees for each class of membership shall be payable at such time and in such manner as the Management Committee shall from time to time determine.
- 5.3 The membership fees paid to the Club by voting members over the age of 18 years shall automatically entitle those members to ordinary membership of the Association should they so apply.

6 - ADMISSION AND REJECTION OF MEMBERS

- 6.1 At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Management Committee, who shall thereupon determine upon the admission or rejection of the applicant.
- 6.2 Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
- 6.3 Upon the acceptance or rejection of an application for any class of membership the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

7 - TERMINATION OF MEMBERSHIP

- 7.1 A member may resign from the Association at any time by giving notice in writing to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.
- 7.2 If a member -
- (i) is convicted of an indictable offence; or
 - (ii) fails to comply with any of the provisions of the Rules; or
 - (iii) has membership fees in arrears for a period of two months or more; or
 - (iv) conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Association
- the Management Committee shall consider whether the member shall be asked to show cause why membership should not be terminated and advise the member accordingly.
- 7.3 The member concerned shall be given a full and fair opportunity of presenting his case and if the Management Committee resolves to terminate his membership it shall instruct the Secretary to advise the member in writing accordingly.

8 - APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- 8.1 A person whose application for membership has been rejected or whose membership has been terminated may, within one month of receiving written notification thereof, lodge with the Secretary written notice of his intention to appeal against the decision of the Management Committee.

- 8.2 Upon receipt of a notification of intention to appeal against rejection or termination of membership the Secretary shall convene, within three months of the date of receipt by him of such notice, a General Meeting to determine the appeal. At any such meeting the applicant shall be given the opportunity to fully present his case and the Management Committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting their case. The appeal shall be determined by the vote of the members present at such meeting.
- 8.3 Where a person whose application is rejected does not appeal against the decision of the Management Committee within the time prescribed by these Rules or so appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fee paid.

9 - REGISTER OF MEMBERS

- 9.1 The Management Committee shall cause a Register to be kept in which shall be entered the names of proposed members and the date of proposal, the names, residential addresses and occupations of all persons admitted to membership of the Association and the dates of their admission.
- 9.2 Particulars shall also be entered into the Register of deaths, resignations, termination and reinstatement of membership and any further particulars as the Management Committee or the members at any General Meeting may require from time to time.
- 9.3 The Register shall be open for inspection at all reasonable times by any member who previously applies to the Secretary for such inspection.

10 - MEMBERSHIP OF MANAGEMENT COMMITTEE

- 10.1 The Management Committee of the Association shall consist of a President, Deputy President, Secretary, Treasurer, plus three (3) Committee Members, provided that at least five (5) members of the Management Committee shall be Ordinary Members of the Association, one (1) of which shall be the President of the Club. The other two (2) Committee positions can be made up of any member of the Association, so long as they are also members of the Club.
- 10.2 The Management Committee so elected shall serve until the next Annual General Meeting.
- 10.3 At the Annual General Meeting of the Association, all the members of the Management Committee for the time being shall retire from office, but shall be eligible for re-election.
- 10.4 The election of members of the Management Committee shall take place in the following manner:
- a) The nomination, which shall be in writing, shall be lodged with the Secretary at least fourteen (14) days before the Annual General Meeting at which the election is to take place.
 - b) A list of the candidates' names in alphabetical order shall be posted in a conspicuous place in the office or usual place of meeting of the Association for at least seven (7) days immediately preceding the Annual General Meeting.

- c) Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each Ordinary Member aged over eighteen (18) years of age present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
 - d) Should at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations from ordinary members (see 10.1 above) may be taken from the floor of the meeting.
- 10.5 Any member of the Management Committee may resign from membership of the Management Committee at any time by giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date, or such member may be removed from office at a General Meeting of the Association where that member shall be given the opportunity to fully present his case. The question of removal shall be determined by the vote of the Ordinary Members over the age of eighteen (18) years present at such a General Meeting.

11 - VACANCIES ON THE MANAGEMENT COMMITTEE

- 11.1 The Management Committee shall have power at any time to appoint an ordinary member of the Association to fill any casual vacancy on the Management Committee until the next Annual General Meeting.
- 11.2 The continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee, but if and so long as their number is reduced below the number fixed by or pursuant to these Rules as the necessary quorum of the Management Committee, the continuing member or members may act for the purpose of increasing the number of members of the Management Committee to that number or of summoning a General Meeting of the Association but no other purpose.

12 - FUNCTION OF THE MANAGEMENT COMMITTEE

- 12.1 Except as otherwise provided by these Rules and subject to resolutions of the Ordinary Members of the Association carried at any General Meeting the Management Committee shall -
- a) have the general control and management of the administration of the affairs, property and funds of the Association;
 - b) have authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent.
- 12.2 The Management Committee may exercise all the powers of the Association:
- a) To establish a Contingency Fund for the purpose of consolidating and enhancing the facilities aimed at achieving the objects of the Association.
 - b) To, if necessary, borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by Bankers in Brisbane for overdrawn accounts of money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association, and to provide and pay off any such securities.

13 - MEETING OF MANAGEMENT COMMITTEE

- 13.1 The Management Committee shall meet at least once every two (2) calendar months to exercise its function.
- 13.2 A special meeting of the Management Committee shall be convened by the Secretary on the requisition in writing signed by not less than one-third of the members of the Management Committee, such requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.
- 13.3 At every meeting of the Management Committee a simple majority of a number equal to the number of members elected and/or appointed to the Management Committee as at the close of the last General Meeting of the members shall constitute a quorum.
- 13.4 Subject as previously provided in this Rule, the Management Committee may meet together and regulate its proceedings as it thinks fit,; provided that questions arising at any meeting of the Management Committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.
- 13.5 A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Association in which he is interested, or any matter arising thereat, and if he does so vote his vote shall not be counted.
- 13.6 Not less than fourteen (14) clear days notice, in writing, shall be given by the Secretary to members of the Management Committee of any Special Meeting of the Management Committee. Such notice shall clearly state the nature of the business to be discussed thereat.
- 13.7 The President shall preside as Chairman at every meeting of the Management Committee, or if at any meeting he is not present within ten minutes after the time appointed for holding the meeting, the Deputy President. In the event of the Deputy President not being present the members may choose one of their number to be Chairman of the meeting.
- 13.8 If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting if convened upon the requisition of members of the Management Committee shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the appointed time for the meeting, the meeting shall lapse.

14 - DELEGATION/POWERS OF MANAGEMENT COMMITTEE

- 14.1 The Management Committee may delegate any of its power to a sub-committee consisting of such members of the Association as the Management Committee thinks fit. Any sub-committee so formed shall, in the exercise of the powers so delegated, conform to any directions that are imposed on it by the Management Committee:
 - a) A sub-committee shall be required to meet regularly in the course of its duties and submit reports of the sub-committee's activities to the Management Committee.

- b) A sub-committee may elect a Chairman of its meetings. If no such Chairman is elected, or if at any meeting the Chairman is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their number to be Chairman of the meeting.
 - c) A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present, and in the case of an equality of votes, the question shall be deemed to be decided in the negative.
- 14.2 All acts done by any meeting of the Management Committee or of a sub-committee or by any person acting as a member of the Management Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Management Committee or person acting as aforesaid, or that the members of the Management Committee or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the Management Committee.
- 14.3 A resolution in writing signed by all the members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be as valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more members of the Management Committee.

15 - ANNUAL GENERAL OR GENERAL MEETINGS

- 15.1 The first General Meeting shall be held at such time, not being less than one month nor more than three months after the incorporation of the Association, and at such place as the Management Committee may determine. All members are permitted to attend and address any General Meeting of the Association but voting power is restricted to Ordinary Members over the age of eighteen (18) years and members of the Management Committee.
- 15.2 The Annual General Meeting shall be held within three months of the close of the financial year and the business to be transacted at every Annual General Meeting shall be:
- a) The receiving of the Management Committee's report and the Statement of Income and Expenditure, Assets and Liabilities and Mortgages, charges and securities affecting the property of the Association for the preceding financial year.
 - b) The receiving of the Auditor's Report upon the books and accounts for the preceding financial year.
 - c) The Election of members of the Management Committee.
 - d) The appointment of an Auditor.
- 15.3 The Secretary shall convene a Special General Meeting -
- a) When directed to do so by the Management Committee;
or

- b) On the requisition in writing signed by not less than one-third of the members presently on the Management Committee or not less than the number of Ordinary Members of the Association which equals double the number presently on the Management Committee plus one. Such requisition shall clearly state the reasons such Special General Meeting is being convened and the nature of the business to be transacted thereat; or
 - c) On being given notice in writing of an intention to appeal against the decision of the Management Committee to reject an application for membership or to terminate the membership of any person.
- 15.4 At any General Meeting the number of Ordinary Members required to constitute a quorum shall be the number of members presently on the Management Committee plus one:
- a) No business shall be transacted at any General Meeting unless a quorum of Ordinary Members is present at the time when the meeting proceeds to business, for the purposes of the Rule, "member" includes a person attending as a proxy.
 - b) If within half an hour from the time appointed for the commencement of a General Meeting a quorum is not present, the meeting if convened upon the requisition of members of the Management Committee or the Association, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the appointed time for the meeting, the Ordinary Members present shall be a quorum.
 - c) The Chairman may, with the consent of any meeting which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.
- 15.5 The Secretary shall convene all General Meetings of the Association by giving not less than fourteen (14) days notice of any such meeting to the members of the Association.
- a) The manner by which such notice shall be given shall be determined by the Management Committee; provided that notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his membership by the Management Committee shall be given in writing. Notice of a General Meeting shall clearly state the nature of the business to be discussed thereat.
- 15.6 Unless otherwise provided by these Rules, at every General Meeting:
- a) The President shall preside as Chairman, or if there is no President or Deputy President, or if he is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act,

then the members present shall elect one of their number to be Chairman of the meeting.

- b) The Chairman shall maintain order and conduct the meeting in a proper and orderly manner.
- c) Every question, matter or resolution shall be decided by a majority of votes of Ordinary Members present.
- d) Every Ordinary Member, aged eighteen (18) years or over, present shall be entitled to one vote and in the case of an equality of votes the Chairman shall have a second or casting vote; provided that no Ordinary Member shall be entitled to vote at any General Meeting if his annual subscription is more than one month in arrears at the date of the meeting.
- e) Voting shall be by show of hands or a division of Ordinary Members, unless not less than one-fifth of the Ordinary Members present demand a ballot, in which event there shall be a secret ballot. The Chairman shall appoint two members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the Chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded.

16 - PROXIES

- 16.1 An Ordinary Member aged eighteen (18) years or over may vote in person or by proxy by Attorney and on a show of hands every person present who is an Ordinary Member or a representative of an Ordinary Member shall have one vote and in a secret ballot every Ordinary Member present in person or by proxy or by attorney or other duly authorised representative shall have one vote.
- 16.2 The instrument appointing a proxy shall be in writing, in the common or usual form under the hand of the appointee or of his attorney duly authorised in writing. A proxy may but need not be a member of the Association. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot.
- 16.3 Where it is desired to afford ordinary members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit:

Metropolitan Caloundra Surf Life Saving Supporters Club Inc.

I, of being an Ordinary Member of the Association, hereby appoint of or failing him of as my proxy to vote for me on my behalf at the (Annual) General Meeting of the Association to be held on the day of 20....

..... Signature

This form is to be used * (in favour of/against) the resolution.

* Strike out whichever is not desired. (Unless otherwise instructed, the proxy may vote as he thinks fit).

- 16.4 The instrument appointing a proxy shall be deposited with the Secretary prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument proposes to vote.

17 - MINUTES OF MEETINGS

- 17.1 The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and General Meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding meeting verifying their accuracy. Similarly, the minutes of every General Meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding General meeting.
- 17.2 Provided that the Minutes of any Annual General Meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding General Meeting or Annual General Meeting.

18 - BY-LAWS

The Management Committee may from time to time make, amend or repeal By-Laws, not inconsistent with these Rules, for the internal management of the Association and any By-Law may be set aside by a General Meeting.

19 - ALTERATION OF RULES

- 19.1 Subject to the provisions of the relevant Government Act, these Rules may be amended, rescinded or added to, from time to time by a special resolution carried at any General Meeting; provided that no such amendment, rescission or addition shall be valid unless the same have been submitted to and approved by the relevant Government Departments.
- 19.2 Notice of the proposed alteration shall be given in the manner provided for Notices of Motion but shall specifically state that it is a notice of proposal to alter the Constitution, either by amending or repealing an existing provision thereof or by adding a new provision.

20 - NOTICE OF MOTION

- 20.1 Notices of any motion intended to be moved at an Annual General, General or Special Meeting of the Association, shall be given in writing signed by the mover and seconder thereof (who must be members of the meeting to which the Notice of Motion will be referred) to the Secretary at least twenty-eight (28) clear days prior to the date of such meeting and shall be included in the business paper on the notice calling such meeting.
- 20.2 The meeting may, by ordinary resolution, grant the mover and seconder leave to alter their motion, in a minor way without altering the intention of the motion. No major amendment to the motion will be accepted.
- 20.3 A motion of which due notice has been given, if unsuccessful, cannot be resubmitted, nor may any other motion having a similar effect be moved at the next meeting of the Association or within six (6) months from the date of its rejection, unless approved by the Management Committee.

21 - MOTIONS TO RESCIND

- 21.1 A motion to rescind any motion carried at a meeting of the Association or the Management Committee may be considered only at a subsequent meeting of those bodies.
- 21.2 Notice of Motion to rescind a resolution carried at a previous meeting shall be accepted only on the written resolution of not less than two (2) voting members.

22 - COMMON SEAL

The Management Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by any two (2) members of the Management Committee, one of whom shall be an Executive member of the Club.

23 - FUNDS AND ACCOUNTS

The funds of the Association shall be banked in the name of the Association in such Bank as the Management Committee may from time to time direct, and when practical a monthly donation of funds to the Club shall be effected. The following provisions shall be required:

- 23.1 Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.
- 23.2 All monies shall be banked as soon as practicable after receipt thereof.
- 23.3 All amounts of fifty dollars or over shall be paid by cheque signed by any two of the Chairman, Secretary, Treasurer or other member authorised from time to time by the Management Committee.
- 23.4 Cheques shall be crossed "Not Negotiable" except those in payment of wages, allowances or petty cash recoupment which may be open.
- 23.5 The Management Committee shall determine the amount of petty cash which shall be kept on the Imprest system.
- 23.6 All the expenditure shall be approved or ratified at a Management Committee meeting.
- 23.7 As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing particulars of:
- a) The income and expenditure for the financial year just ended; and
 - b) The assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.
- 23.8 All such statements shall be examined by the Auditor who shall present his report upon such audit to the Secretary prior to the holding of the Annual General Meeting next following the financial year in respect of which such audit was made -

- a) The income and property of the Association whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect of monies advanced by him to the Association or otherwise owing by the Association to him or of remuneration to any officers or servants of the Association or to any member of the Association or other person in return for any services actually rendered to the Association provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Association or reasonable and proper rent for premises demised or let to the Association.
- b) No member shall be entitled to any benefit or advantage from the Association which is not shared equally by every member thereof.

24 - DOCUMENTS

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

25 - FINANCIAL YEAR

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

26 - MISCELLANEOUS

- 26.1 No visitor shall be supplied with liquor on the Association's premises unless on the invitation of and in the company of a member.
- 26.2 No liquor shall be sold or supplied to any person under eighteen (18) years of age and no such person shall have or consume any liquor upon the Association's premises.
- 26.3 No person other than the Association or its members shall directly or indirectly derive any profit or advantage from the fact that the Association is or may be registered in accordance with the provision of the relevant Government Act as amended from time to time.
- 26.4 No payment shall be made to an officer or employee of the Association of an amount by way of commission or allowance calculated by reference to the quantity of liquor sold or supplied by the Association or the receipts of the Association for such liquor.

27 - DISSOLUTION

The Association shall be dissolved only with the consent of three-fourths of the Officers and voting members present at a Special Meeting called for that purpose, notice of which must be posted to Officers and members at least twenty-eight (28) days prior thereto, and advertised in the major regional newspaper, at least once in each of the two (2) consecutive weeks immediately preceding such meeting.

28 - DISTRIBUTION OF SURPLUS ASSETS

If the Association shall be wound up in accordance with the provisions of the relevant Government Act, and there remains, after satisfaction of all its debts and liabilities and property whatsoever, the same shall not be paid to or distributed among the members of the Association but shall be given or transferred to Metropolitan Caloundra Surf Life Saving Club Inc. or if that Club has ceased to exist to some other institution or institutions which have similar objects to the objects of the Association, and which shall prohibit the distribution of its or their income and property among its or their members to the extent at least as great as is imposed on the Association under or by virtue of Rule 23.8 such institution or institutions to be determined by the members of the Association.
