



# Cairns & District Kart Racing Club Inc.

## CONSTITUTION

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# CONSTITUTION

## 1. INTREPRETATION

A word or expression that is not defined in these model rules, but is defined in the *Associations Incorporation Act 1981* has, if the context permits, the meaning given by the Act.

## 2. NAME

The name of the incorporated association is Cairns and District Kart Racing Club Inc. (*the association*)

## 3. OBJECTS

The objects of the association are –

- (1) To promote and protect the sport of Kart Racing;
- (2) To promote excellence and just and honourable practices in the sport and to suppress malpractice;
- (3) To do all such acts which, in the opinion of the Association are for the general benefit of members or of karting;
- (4) To ensure that karting is carried out in the manner which secures and enhances the safety of participants, officials, spectators and the public and which allows the sport to be competitive and fair;
- (5) To develop, implement and vigilantly monitor a strategic plan, to ensure the best possible and safe outcome from karting of all stakeholders;
- (6) To promote karting as a family oriented, fun, relatively inexpensive and safe form of motor sport;
- (7) Promote and be engaged in road safety and road education and the value of karting in developing road skills;
- (8) Formulate or adopt and implement appropriate policies, including in relation to harassment, equal opportunity, privacy, equity, drugs in sport, health, safety, infectious diseases and such matters as arise from time to time as issues to be addressed in motor sport.

## 4. POWERS

- (1) The association has the powers of an individual.
- (2) The association may, for example –
  - a. enter into contracts; and
  - b. acquire, hold, deal with and dispose of property; and
  - 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.
- (3) The association may also issue secured and unsecured notes, debentures and debenture stock for the association.

## 5. **CLASSES OF MEMBERS**

- (1) The membership of the association shall consist of ordinary members, and any of the following classes of members-
  - a. Ordinary members
  - b. Family members
  - c. Junior members;
  - d. Honorary members;
  - e. Associate members;
  - f. Life members;
  - g. Foundation members
- (2) The number of ordinary members is unlimited.
- (3) Ordinary Members shall be racing members and those persons who are 18 years of age and over and who pay full annual Membership and shall have full voting rights and are eligible for election to management committee positions.
- (4) Family members shall be the parents (racing or non-racing) and their dependants (racing or non-racing). The parents hold the classification of Ordinary member. Dependents must be under the age of 18 years.
- (5) Junior members shall be racing members and those persons who pay for full annual Membership prior to and until they attain the age of 18 and are dependent on a parent or guardian who is a voting member of the Association. Junior members shall have no voting rights and are not eligible for election to management committee positions.
- (6) Honorary members are those persons who are non-racing members appointed by the Management Committee at any General Meeting for a period specified by the Committee. Such members shall not be eligible to vote, but may debate and be heard at General meetings, they are not eligible for election to management committee positions. Honorary membership may be cancelled by the Management at any time. They shall not be required to pay fees.
- (7) Associate Members are those persons who are non-racing members who pay a reduced annual membership. *Such members shall not be eligible to vote and they shall not be eligible for election to management committee positions.*
- (8) Life members are those elected by 75% of the Members present and eligible to vote at an Annual General Meeting on the recommendation of the Management committee, life membership is for recognition of long and exceptional contribution and/or services rendered in promoting the interests and objectives of the club over a period of time (with recommended period of 10 years). The Life member shall have the same rights as an Ordinary member. They shall not be required to pay Fees.

(9) Foundation members are those persons who have purchased 'Membership for Life'. This membership is limited to a number set by the management committee and can be varied. This form of membership is not transferable. Foundation members have the right to vote at any General or Annual General Meeting.

## **6. MEMBERSHIP**

(1) An applicant for membership of the association must be proposed by 1 member of the association (*the proposer*) and seconded by another member (*the seconder*).

(2) An application for membership must be-

- a. in writing; and
- b. signed by the applicant and the applicant's seconder; and
- c. in the form decided by the management committee.

## **7. MEMBERSHIP FEES**

(1) The membership fee for each class of membership-

- a. is the amount decided by the members of the management committee at the *Annual General Meeting*; and
- b. is payable when, and in the way, the management committee decides; and
- c. the management committee may approve membership fees to be paid pro-rata during the year.

## **8. ADMISSION AND REJECTION OF MEMBERS**

(1) The management committee must consider an application for membership at the committee meeting held after it receives-

- a. the application for membership; and
- b. the appropriate membership fee for the application.

(2) The management committee must decide at the meeting whether to accept or reject the application.

(3) If a majority of the members of the management committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member to the class of membership applied for.

(4) The secretary of the association must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision.

## **9. WHEN MEMBERSHIP ENDS**

(1) A member may resign from the association by giving a written notice of resignation to the secretary.

(2) The resignation takes effect on-

- a. the day and at the time the notice is received by the secretary; or
- b. if a later day is stated in the notice - the later day.

(3) The management committee may terminate a member's membership if the member-

- a. is convicted of an indictable offence; or
- b. does not comply with any of the provisions of these rules; or
- c. has membership fees in arrears for at least 2 months; or
- d. conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association.

(4) Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.

(5) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the committee must give the member a written notice of the decision.

#### **10. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

(1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the person's intention to appeal against the decision.

(2) A notice of intention to appeal must be given to the secretary within 1 month after the person receives written notice of the decision.

(3) If the secretary receives a notice of intention to appeal, the secretary must, within 1 month after the day of receipt, call a meeting of the management committee to decide the appeal.

#### **11. GENERAL MEETING TO DECIDE APPEAL**

(1) The general meeting to decide an appeal must be held within 3 months after the secretary receives the notice of intention to appeal.

(2) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.

(3) Also, the management committee and the committee members who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.

(4) An appeal must be decided by a vote of the members present and eligible to vote at the meeting.

(5) If a person whose application for membership has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the membership fee paid by the person.

## 12. REGISTER OF MEMBERS

- (1) The management committee must keep a register of members of the association.
- (2) The register must include the following particulars for each member-
  - a. the full name of the member;
  - b. the postal or residential address of the member;
  - c. the date of admission as a member;
  - d. the date of death or resignation of the member;
  - e. details about the termination or reinstatement of membership;
  - f. any other particulars the management committee or the members at a general meeting decide.
- (3) The register must be open for inspection by members of the association at all reasonable times.
- (4) A member must contact the secretary to arrange an inspection of the register.
- (5) However, the management committee may, on the application of a member of the association withhold information about the member (other than the members full name) from the register available for inspection if the management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.
- (6) A member of the association must not-
  - (a) Use information obtained from the register of members of the association to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes; or
  - (b) Disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes.
  - (c) *Subrule (6) does not apply if the use or disclosure of the information is approved by the association.*

## 13. MEMBERSHIP OF MANAGEMENT COMMITTEE

- (1) The management committee of the association consists of a president, vice-president, junior vice-president, treasurer and secretary, and any other members the association members elect or appoint at a general meeting.
- (2) A member of the management committee must be a financial and voting member of the association.
- (3) At each annual general meeting of the association, the members of the management committee must retire from office, but are eligible, on nomination, for re-election.

- (4) It is preferred that a member of the Management committee may hold their current elected position for recommendation of no longer than five (5) years.

#### **14. ELECTING THE MANAGEMENT COMMITTEE**

- (1) A member of the management committee may only be elected as follows-
- a. any 2 members of the association may nominate another member (the ***candidate***) to serve as a member of the management committee;
  - b. the nomination must be-
    - i. in writing; and
    - ii. signed by the candidate and the members who nominated him or her; and
    - iii. given to the secretary at least 14 days before the annual general meeting at which the election is to be held;
  - c. each member of the association present and eligible to vote at the annual general meeting may vote for (1) candidate for each vacant position on the management committee;
  - d. if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
  - e. Nominations from the floor may only be for positions for which there has been no candidate previously nominated.
- (2) A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the association for at least 7 days immediately preceding the annual general meeting.
- (3) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.
- (4) The management committee must ensure that, before a candidate is elected as a member of the management committee, the candidate is advised-
- (a) Whether or not the association has public liability insurance; and
  - (b) If the association has public liability insurance – the amount of the insurance

#### **15. RESIGNATION OR REMOVAL FROM OFFICE OF MANAGEMENT COMMITTEE MEMBER**

- (1) A management committee member may resign from the committee by giving written notice of resignation to the secretary.
- (2) The resignation takes effect on-
- a. the day and at the time the notice is received by the secretary; or
  - b. if a later day is stated in the notice - the later day.



(3) A member may be removed from office at a general meeting of the association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.

(4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.

(5) A member has no right of appeal against the member's removal from office under this section.

## **16. VACANCIES ON MANAGEMENT COMMITTEE**

(1) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the association to fill the vacancy until the next annual general meeting.

(2) The continuing members of the management committee may act despite a casual vacancy on the management committee.

(3) However, if the number of committee members is less than the number fixed under these rules as a quorum of the management committee,<sup>1</sup> the continuing members may act only to-

- a. increase the number of management committee members to the number required for a quorum; or
- b. call a general meeting of the association.

## **17. FUNCTIONS OF MANAGEMENT COMMITTEE**

(1) Subject to these rules or a resolution of the association members carried at a general meeting, the management committee has the general control and management of the administration of the affairs, property and funds of the association; and

(2) The management committee has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent. But any interpretation must have regard to the Act, including any regulation made under the Act. *Note:- The Act prevails if association's rules are inconsistent with Act-see section 1B of the Act*

(3) The management committee may exercise the powers of the association -

- (a) to borrow, raise or secure the payment of amounts in a way the association members decide; and
- (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the association's property, both present and future; and
- (c) to purchase, redeem or pay off any securities issued; and
- (d) to borrow amounts from members and pay interest on the amounts borrowed; and
- (e) to mortgage or charge the whole or part of its property; and

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<sup>1</sup> For the number of members to form a quorum, see 57A of the Act (General Operation of Incorporated Association)

- (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association; and
- (g) to provide and pay off any securities issued; and
- (h) to invest in a way the members of the association may from time to time decide.

(4) For sub-section (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by -

- (a) the financial institution for the association; or
- (b) if there is more than 1 financial institution for the association - the financial institution nominated by the management committee.

## **18. MEETINGS OF MANAGEMENT COMMITTEE**

- (1) Subject to this rule, the management committee may meet and conduct its proceedings as it considers appropriate.
- (2) The management committee must meet at least once every four (4) months to exercise its functions.
- (3) The management committee must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the management committee.
- (5) The management committee may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (6) A committee member who participates in the meeting as mentioned in subrule (5) is taken to be present at the meeting.
- (7) If the secretary receives a written request signed by at least 60% of the management committee members, the secretary must call a special meeting of the committee.
- (8) A *request* for a special meeting must state-
  - a. why the special meeting is being called; and
  - b. the business to be conducted at the meeting.
- (9) At a management committee meeting, more than 50% of the members elected or appointed to the committee as at the close of the last general meeting of the members form a quorum.
- (10) A question arising at a committee meeting is to be decided by a majority vote of committee members present at the meeting and, if the votes are equal, the question is decided by the president's casting vote.
- (11) A management committee member must not vote on a question about a contract or proposed contract with the association if the member has an

interest in the contract or proposed contract, and if the member does vote the member's vote must not be counted.

(12) The secretary must give each management committee member at least 14 days notice of a special meeting of the committee.

(13) A *notice* of a special meeting must state-

- a. the day, time and place of the meeting; and
- b. the business to be conducted at the meeting.

(14) The president or, if there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, the vice-president is to preside as chairperson at the meeting.

(15) If the president and the vice-president are absent from a management committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.

(16) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called on the request of committee members, the meeting lapses.

(17) If there is no quorum present within 30 minutes after the time fixed for a management committee meeting called other than on the request of the members of the committee-

- a. the same day, time and place in the next week; or
- b. a day, time and place decided by the committee.

(18) If, at the adjourned meeting mentioned in subsection (17), a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.

## **19. DELEGATION OF MANAGEMENT COMMITTEE POWERS**

(1)The management committee may delegate the whole or part of its powers to a subcommittee consisting of the association members considered appropriate by the committee.

(2)A subcommittee may only exercise delegated powers in the way the management committee decides.

(3)A subcommittee may elect a chairperson of its meetings.

(4)If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.

(5)A subcommittee may meet and adjourn as it considers appropriate.

(6)A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

## **20. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS**

(1) An act performed by the management committee, a subcommittee or a person acting as a member of the management committee is taken to have been validly performed.

(2) Subsection (1) applies even if the act was performed when-

- a. there was a defect in the appointment of a member of the management committee, subcommittee or person acting as a member of the management committee; or
- b. a management committee member, subcommittee member or person acting as a member of the management committee was disqualified from being a member.

## **21. RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING**

(1) A written resolution signed by each member of the management committee for the time being entitled to receive notice of a committee meeting is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.

(2) A resolution mentioned in subsection (1) may consist of several documents in like form, each signed by 1 or more members of the committee.

## **22. ANNUAL GENERAL MEETINGS**

Each annual general meeting must be held -

- a. at least once each year; and
- b. within 6 months after the end of the association's previous financial year.

## **23. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING**

The following business must be conducted at each annual general meeting -

- a. receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the association for the last financial year;<sup>2</sup>
- b. receiving the auditor's report on the financial affairs of the association for the last financial year;
- c. presenting the audited statement to the meeting for adoption;
- d. electing members of the management committee;
- e. electing of Life Members;
- f. appointing an auditor an accountant or an approved person for the present financial year.
- g. Fees for each class of membership, and any other fees shall be determined at the Annual General Meeting.

## **24. SPECIAL GENERAL MEETING**

(1) The secretary may only call a special general meeting by giving each

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<sup>2</sup> This statement is required to be prepared under the Associations Incorporation Act 1981, section 59 (Audit and statement).

member notice of the meeting within 14 days after-

- a. being directed to call the meeting by the management committee; or
- b. being given a written request signed by-
  - i. at least 60% of the members of the association presently on the management committee; or
  - ii. at least the number of ordinary members of the association equal to double the number of members of the association presently on the management committee plus 10; or
- c. being given a written notice of an intention to appeal against the decision of the management committee-
  - i. to reject an application for membership; or
  - ii. to terminate a person's membership.

(2)A request mentioned in subsection (1)(b) must state-

- a. why the special general meeting is being called; and
- b. the business to be conducted at the meeting.

## **25. NOTICE OF GENERAL MEETING**

(1)The secretary may call a general meeting of the association.

(2)The secretary must give at least 14 days notice of the meeting to each association member.

(3)If the secretary is unable or unwilling to call the meeting, the president must call the meeting.

(4)The management committee may decide the way in which the notice must be given.

(5)However, notice of the following meetings must be given in writing-

- a. a meeting called to hear and decide the appeal of a member against the rejection or termination of the member's membership by the management committee; or
- b. a meeting called to hear and decide a proposed special resolution of the association.

(6)A notice of a general meeting must state the business to be conducted at the meeting.

## **26. QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING**

(1)The quorum for a general meeting is at least the number of members elected or appointed to the management committee at the close of the association's last general meeting plus 1.

(2)However, if all members of the association are members of the management committee, the quorum is the total number of members less 1.

(3)No business may be conducted at a general meeting unless a quorum of members is present when the meeting proceeds to business.

- (4) If a quorum is not present within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the association, the meeting lapses.
- (5) If a quorum is not present within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the association, the meeting is to be adjourned to-
- a. the same day, time and place in the next week; or
  - b. a day, time and place decided by the management committee.
- (6) If at an adjourned meeting, a quorum under subsection (1) is not present within 30 minutes after the time fixed for the meeting, the members' present form a quorum.
- (7) The chairperson may, with the consent of any meeting at which a quorum is present, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (8) If a meeting is adjourned under subsection (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (9) The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- (10) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.
- (11) In this rule - "**member**" includes a person attending as a proxy or representing a corporation that is a member.

## **27. PROCEDURE AT GENERAL MEETING**

- (1) A member may take part and vote in a general meeting in person, by proxy, by attorney or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (2) A member who participates in a meeting as mentioned in subrule (1) is taken to be present at the meeting.
- (3) At each general meeting -
- a. the president or, if there is no president or if the president is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the vice-president is to preside as chairperson; and
  - b. if the vice-president is absent or unwilling to act as chairperson, the members present must elect 1 of their number to be chairperson of the meeting; and
  - c. the chairperson must conduct the meeting in a proper and orderly way; and

- d. each question, matter or resolution must be decided by a majority of votes of the members present; and
- e. each member present and entitled to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote; and
- f. a member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting; and
- g. The method of voting is to be decided by the management committee; unless at least 20% of the members present demand a secret ballot, voting must be made by secret ballot.
- h. if a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides.
- i. the result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held.
- j. a member may vote in person or by proxy or by attorney and-
  - i. on a show of hands, each person present who is a member or a representative of a member has 1 vote; and
  - ii. in a secret ballot, each member present in person or by proxy or by attorney or other properly authorised representative has 1 vote; and
- k. an instrument appointing a proxy must be in writing; and-
  - i. if the appointor is an individual - signed by the appointor or the appointor's attorney properly authorised in writing; or
  - ii. if the appointor is a corporation - either under seal or signed by a properly authorised officer or attorney of the corporation; and
- l. a proxy may be a member of the association or another person; and
- m. the instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot; and
- n. if someone wants to give a member an opportunity to vote for or against a resolution, the instrument appointing a proxy must be in the following or like form-

**ASSOCIATION: Cairns & District Kart Racing Club Inc.**

I, \_\_\_\_\_ of \_\_\_\_\_,  
being a member of the association, appoint \_\_\_\_\_,  
\_\_\_\_\_ of \_\_\_\_\_  
as my proxy to vote for me on my behalf at the (annual) general  
meeting of the association, to be held on \_\_\_\_\_  
\_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_ and at any adjournment of the meeting.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Signature.

This form is to be \*in favour of/\*against [*strike out whichever is not wanted*] the following resolutions—

*[List relevant resolutions]*

- o. each instrument appointing a proxy must be given to the secretary before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote; and
- p. the secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting and general meeting are entered in a minute book; and
- q. the secretary may record meetings and must ensure the minute book for each general meeting is open for inspection at all reasonable times by any financial member who previously applies to the secretary for the inspection.

(4) To ensure the accuracy of the minutes recorded under subsection (3)(p)-

(5) the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy; and

(6) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and

(7) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.

## **28. BY-LAWS**

(1) The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.

(2) A by-law may be set aside by a vote of members at a general meeting of the association.

## **29. ALTERATION OF RULES OF THE CONSTITUTION**

(1) Subject to the Associations Incorporation Act 1981, these rules may be amended, repealed or added to by a special resolution carried at a special general meeting or annual general meeting.

(2) However an amendment, repeal or addition is valid only if it is registered by the chief executive.

## **30. COMMON SEAL**

(1) The management committee must ensure the association has a common seal.

(2) The common seal must be-

- a. kept securely by the management committee; and
- b. used only under the authority of the management committee.



- (3) Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by-
- a. the secretary; or
  - b. another member of the management committee; or
  - c. someone appointed by the management committee.

### **31. FUNDS AND ACCOUNTS**

- (1) The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.
- (2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
- (3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- (4) All payments must be paid for by cheque, electronic transfer or pre-paid Credit Card.
- a. Prepaid visa credit cards total limit will not exceed \$500, persons holding cards will be authorised by the management committee and must be any 3 of the following;
    - i. the president;
    - ii. the secretary;
    - iii. the treasurer;
    - iv. sub-committee member for track works;
    - v. sub-committee member for canteen/fundraising;
    - vi. all expenditure incurred will be within purchasing limits and conditions; receipts and statements to be ratified monthly.
- (5) The cheque/transfer must be signed/authorised by any 2 of the following-
- a. the president;
  - b. the vice-president,
  - c. the secretary;
  - d. the treasurer;
  - e. However, 1 of the persons who signs the cheque must be the president, the secretary or the treasurer.
- (6) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed 'not negotiable'.
- (7) A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
- (8) All expenditure must be approved or ratified at a management committee meeting.
- (9) The treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared -
- a. the income and expenditure for the financial year just ended;
  - b. the association's assets and liabilities at the close of the year;

- c. the mortgages, charges and securities affecting the property of the association at the close of the year.

(10) The auditor must examine the statement prepared under subsection (8) and present a report about it to the secretary before the next annual general meeting following the financial year for which the audit was made.

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

### **32. DOCUMENTS**

The management committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

### **33. FINANCIAL YEAR**

The financial year of the association closes on 30 June of each year.

### **34. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY**

(1) This section applies if the association-

- a. is wound-up under part 10 of the Act;<sup>3</sup> and
- b. it has surplus assets.

(2) The surplus assets must not be distributed among the association members.

(3) The surplus assets must be given to another entity –

- a. having objects similar to the association's objects; and
- b. the rules of which prohibit the distribution of the entity's income and assets to its members.

(4) In this section -

**"surplus assets"** has the meaning given by section 92(3)<sup>4</sup> of the Act.

### **35. NON PROFIT ORGANISATION**

The assets and income of the association shall be applied solely in furtherance of its above mentioned objectives and no portion shall be distributed directly or indirectly to the members of the association, except as bona fide compensation for services rendered or expenses incurred on behalf of the association.

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<sup>3</sup> Part 10 (Winding-up) of the Act

<sup>4</sup> Section 92 (Distribution of surplus assets) of the Act.