

## **THE CONSTITUTION**

### **QUEENSLAND WEIGHTLIFTING ASSOCIATION INC.**

V11.2 2020

Last amended 9th March 2020

#### **INTERPRETATION**

1. In these Rules -
  - (1) The name of the incorporated association is the Queensland Weightlifting Association Inc. (herein called the "Association")
  - (2) "Affiliated Club" or "Club" means a weightlifters association consisting of not less than five (5) members that are an incorporated body or non-incorporated entity which is affiliated with the QWA.
  - (3) "Club Representative" means one representative appointed to the Association by the controlling body of each Affiliated Club.
  - (4) The "Secretary" means any person appointed to perform the duties of the Secretary of the Association and includes an honorary Secretary.
  - (5) A "Month" means a calendar month.

#### **OBJECTS**

2. The objects for which the Association is established are:-

Principal Objects:

- (a) To organise, control and develop the sport of weightlifting in Queensland as the Queensland State Member of the Australian Weightlifting Federation.
- (b) To develop and intensify friendship and co-operation amongst competitors and officials in weightlifting both in Queensland and other states.
- (c) To maintain all affiliations with the Australian Weightlifting Federation and other Sporting organisations as may be required for the proper advancement and recognition of weightlifting.
- (d) To render aid either financial or by other means to clubs or associations in the State of Queensland or elsewhere, where clubs or associations are conducting the sport of weightlifting in accordance with the sport technical rules laid down by the Australian Weightlifting Federation.

- (e) To present weightlifting activities to the public that best suit the needs and goals of the sport's athletes, coaches, technical officials, partners and supporters;
- (f) to conduct, encourage, promote, advance, control and manage all levels of Weightlifting in Queensland interdependently with members and others
- (g) to adopt, formulate, issue, interpret and amend By-Laws, Policies, rules and regulations for the control and conduct of Weightlifting in Queensland.
- (h) to encourage the provision and development of appropriate facilities for participation in Weightlifting;
- (i) to maintain and enhance standards, quality and reputation of Weightlifting for the collective and mutual benefit and interests of Members and Weightlifting;
- (j) to promote the sport of Weightlifting for commercial, government and public recognition and benefits;
- (k) to be the only body entitled to prepare and enter Queensland teams in national Weightlifting competitions;
- (l) to promote, control, manage and conduct Weightlifting events, competitions and championships;
- (m) Use and protect the Intellectual Property of the QWA, including but not limited to logos, trademarks, copyright and names in any equipment, product, publication or event developed by the QWA
- (n) Have regard to the public interest in its operations; and
- (o) to further the above and do all things necessary or appropriate for the management, control, regulation and promotion of the QWA and the sport of weightlifting in Queensland.

### **POWERS**

3. The powers of the Association are:-

- (1) To subscribe to, become a member of and co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of rule 32;
- (2) 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) 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 purpose 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 trusts the Association shall only deal with the same in such manner as is allowed by law having regard to such trusts;
- (4) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and 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;
- (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;
- (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 notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in the furtherance of its objects;
- (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;
- (8) To invest and deal with money of the Association not immediately required in such manner as may from time to time be thought fit;
- (9) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;

- (10) In furtherance of the objects of the Association to lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate;
- (11) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated association's property or assets present or future and to purchase, redeem or pay-off any such securities;
- (12) To draw, make accept, endorse, discount execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
- (13) In furtherance of the objects of the Association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association;
- (14) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchases and others;
- (15) To take any gift or property whether subject to any special trust or not, for any one or more of the objects of the Associations but subject always to the proviso in sub-rule (4);
- (16) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise;
- (17) To print and publish in electronic or hard copy any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects;
- (18) In furtherance of the objects of the Association to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit

the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of rule 32;

- (19) In furtherance of the objects of the Association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorised to amalgamate;
- (20) 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;
- (21) To make donations for patriotic, charitable or community purposes;
- (22) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged;
- (23) To do all such other things as are incidental or conducive to attainment of the objects and the exercise of the powers of the Association.

#### **CLASSES OF MEMBERS**

4. The membership of the Association shall consist of any of the following classes of members:-
  1. Individual members: the number of these being unlimited. An Individual member must be a natural person whose place of residence is located within the State of Queensland. An Individual Member is entitled to any benefits of membership prescribed to apply to Individual Members in the Policies but, in any event, shall not be entitled to receive notice, or vote at General Meetings.
  2. (Member) Affiliated Clubs - one representative appointed to the Association by the controlling body of each Affiliated Club are entitled to receive notice of, attend, and vote at all General Meetings.
  3. Life members - Life Membership is the highest honour bestowed by the Queensland Weightlifting Association Inc. for longstanding and valued service to Weightlifting in Queensland. A Life Member is entitled to any benefits of membership prescribed to apply to Life Members in the Policies but, in any event, shall not be entitled to vote at General Meetings.

4. Associate members - Any other individual, group, or business directly contributing to the conduct, administration, promotion or development of the Sport of Weightlifting in some reasonable way shall be entitled to apply for "Associate Member" status at the discretion of the Management Committee. An Associate Member is entitled to any benefits of membership prescribed to apply to Associate Members in the Policies but, in any event, shall not be entitled to receive notice, attend, or vote at General Meetings. This includes athletes affiliated with another National Weightlifting Organisation, who reside in QLD full time, can apply for Associate Membership of the QWA. These athletes can compete for medals/prizes at State events and set State Records however they cannot compete at Nationals in the QLD Team or set National records.

#### **MEMBERSHIP**

5. (1) The application for membership shall be made electronically and shall be in such form as the Management Committee from time to time prescribes.

#### **AFFILIATION OF CLUBS**

6. (1) Every application for affiliation shall be made in writing/electronically , signed by the President of the applicant club and shall be in such form as the Management Committee from time to time prescribes.  
(2) An Affiliated Club must be located within the State of Queensland.  
(2) The fees for Club Affiliation shall be such sum and payable at such time and in such manner as the Management Committee shall from time to time determine.

#### **MEMBERSHIP FEES**

7. (1) The membership fees for each class of membership shall be increased in line with inflation to the nearest dollar amount; any additional changes to membership fees will be agreed by the members at a general meeting  
(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.

#### **ADMISSION AND REJECTION OF MEMBERS**

8. Applications for membership of the QWA will be made online and screened by the QWA Office. Those applications that meet current membership guidelines will be approved for admission to the membership of the QWA by the QWA Office. Those that have :
- i. a current sanction imposed by the Australian Weightlifting Federation and/or a current sanction imposed by the Australian Sports Anti-Doping authority;
  - ii. fail to comply with any of the provisions of these Rules; or
  - iii. have membership fees in arrears for a period of two months or more; or
  - iv. conduct him/herself in a manner considered to be injurious or prejudicial to the character or interests of the Association;

will be referred to the next meeting of the Management Committee after the receipt of any such application, where such application shall be considered by the Management Committee, who shall thereupon determine upon the admission or rejection of the applicant.

- (2) Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which application is being considered shall be accepted as a member to the class of membership applied for, or as an Affiliated Club, as the case may be.
- (3) Upon the rejection of an application for any class of membership or affiliation the secretary shall forthwith give the applicant notice in writing of such rejection.

#### **TERMINATION OF MEMBERSHIP**

9. (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.
- (2)(a) If a member -
- (i) is convicted of an indictable offence; or
  - (ii) has a current sanction imposed by the Australian Weightlifting Federation/Australian Sports Anti-Doping Authority;
  - (iii) fails to comply with any of the provisions of these Rules; or
  - (iv) has membership fees in arrears for a period of two months or more; or

- (v) 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 their membership shall be terminated.

- (2)(b) If an Affiliated Club -
  - (i) fails to comply with any of the provisions of these Rules; or
  - (ii) conducts, causes, aids or supports any action which is considered to be injurious or prejudicial to the character and/or interests of the Association.

The Management Committee shall consider whether its affiliation shall be terminated.

- (3) The member or Affiliated Club shall be given a full and fair opportunity of presenting their case and if the Management Committee resolves to terminate membership or affiliation as the case may be, it shall instruct the secretary to advise the member or club as the case may be, in writing accordingly.

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

- 10. (1) A person whose application for membership has been rejected or whose membership has been terminated or a club whose application for affiliation has been rejected or whose affiliation has been terminated may within 30 days of receiving written notification thereof, lodge with the secretary written notice of their intention to appeal against the decision of the Management Committee.
- (2) Upon receipt of a notification of intention to appeal against rejection or termination of membership or rejection or termination of affiliation the secretary shall convene, within three months of the date of receipt of such notice, a general meeting to determine the appeal. At any such meeting the applicant shall be given the opportunity to fully present their case and the Management Committee or those members thereof who rejected the application of membership or affiliation or terminated the membership or affiliation subsequently shall likewise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of the Club Representatives present at such meeting.
- (3) Where a person or club, 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.

### **REGISTER OF MEMBERS**

11. (1) The Management Committee shall cause a Register to be kept in which shall be entered the names, email and residential addresses of all persons admitted to membership of the Association and the dates of their admission.
- (2) Particulars shall also be entered into the Register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the Management Committee or the members at any general meeting may require from time to time.
- (3) The register shall be open for inspection at all reasonable times by any member who previously applies to the secretary for such inspection.

### **MEMBERSHIP OF MANAGEMENT COMMITTEE**

12. (1) The Management Committee of the Association shall consist of a President, Vice President, Secretary, Treasurer, all of whom shall be members of the Association, and four (4) other members.
- (2) 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 upon nomination for re-election.
- (3) The election of officers and other members of the Management Committee shall take place in the following manner:-
  - (a) Any two members of the Association shall be at liberty to nominate any other member to serve as an officer or other member of the Management Committee;
  - (b) The nomination, which shall be in writing and signed by a member and his proposer and seconder, shall be lodged with the secretary at least fourteen days before the annual general meeting at which the election is to take place;

- (c) A list of the candidates' names in alphabetical order, with the proposers' and seconders' names, shall be posted in a conspicuous place in the office or usual place of meeting of the Association for at least seven days immediately preceding the annual general meeting.
  - (d) Balloting list shall be prepared ( if necessary ) containing the names of the candidates in alphabetical order, and each Club Representative present at the annual general meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies;
  - (e) Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.
13. 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 Club Representatives present at such a general meeting.

#### **VACANCIES ON MANAGEMENT COMMITTEE**

14. (1) The Management Committee shall have power at any time to appoint any member of the Association to fill any casual vacancy on the Management Committee until the next annual general meeting.
- (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 for no other purpose.

#### **FUNCTIONS OF THE MANAGEMENT COMMITTEE**

15. (1) Except as otherwise provided by these Rules and subject to resolutions

of the Club Representatives carried at any general meeting the Management Committee –

- (a) shall have the general control and management of the administration of the affairs, property and funds of the Association; and
  - (b) shall have authority to interpret the meaning of these Rules and any matter relating to the Association on which Rules are silent.
- (2) The Management Committee may exercise all the power of the Association –
- (a) to borrow or raise or secure the payment of money in such manner as the members of the Association may think fit and secure the same 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 and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Association's property, both present and future, and to purchase, redeem or pay off any such securities;
  - (b) to 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 on 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; and
  - (c) to invest in such manner as the members of the Association may from time to time determine.

#### **MEETINGS OF MANAGEMENT COMMITTEE**

16. (1) The Management Committee shall meet at least once in every two Calendar months to exercise its functions.
- (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, which requisition shall clearly state the reasons why such special meeting is

being convened and the nature of the business to be transacted thereat.

- (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.
  - (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 Chairman shall have a casting vote.
  - (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 thereout, and if he does so vote his vote shall not be counted. **A Conflict of Interest register shall be kept.**
  - (6) Not less than fourteen days notice 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.
  - (7) The President shall preside as Chairman at every meeting of the Management Committee, or if there is no President, or if at any meeting he is not present within ten minutes after the time appointed for holding the meeting, the Vice-President shall be Chairman or if the Vice-President is not present at the meeting then the members may choose one of their number to be Chairman of the meeting.
  - (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 time appointed for the meeting, the meeting shall lapse.
17. (1) The Management Committee may delegate any of its powers 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

regulations that may be imposed on it by the Management Committee.

- (2) The Management Committee may direct the appointment of a Chair person to facilitate communication between the Management Committee and the Sub-committee or the Sub-committee may elect a Chair person of its meetings if the Management Committee doesn't identify a Chairman. If no such Chair person is elected, or if at any meeting the Chair person 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 Chair person of the meeting.
  - (3) 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.
18. 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 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.
  19. 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 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.

#### **ANNUAL GENERAL OR GENERAL MEETINGS**

20. The first general meeting shall be held at such time, not being less than one month nor more than six months after the incorporation of the Associations, and at such place as the Management Committee may determine.
21. The annual general meeting shall be held within six months of the close of the financial year. 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; and
  - (d) the appointment of an auditor.
22. 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 a majority of the Club Representatives presently appointed to the Association. Such requisition shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat; or
  - (c) on being given a notice in writing of an intention to appeal against the decision of the Management Committee to reject an application for membership or affiliation or to terminate the membership of any person or affiliation of any club.
23. (1) At any general meeting the number of Club Representatives required to constitute a quorum (the minimum number of representatives) will equal the number of Management committee members appointed to the Management Committee at the AGM, plus 1.
- (2) No business shall be transacted at any general meeting unless a quorum of Club Representatives is present at the time when the meeting proceeds to business. For the purposes of this rule "Club Representative" includes a person attending as a proxy.
- (3) (a) If within half an hour from the time appointed for the commencement of a general meeting which is not an Annual General Meeting, a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee or Club Representatives, shall lapse.
- (b) If the meeting is an Annual General Meeting, or if it is convened to determine an appeal against the decision of the Management Committee to reject or terminate an application for membership or affiliation, 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 as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the Club Representatives present shall be a quorum.

- (4) The Chairman may, with the consent of any meeting at 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 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.
24.
  - (1) The secretary shall convene all general meetings of the Association by giving not less than 14 days notice of any such meeting to the members of the Association.
  - (2) 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 or club as the case may be, against the rejection or termination of membership or affiliation as the case may be, 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.
25. Unless otherwise provided by these Rules, at every general meeting -
  - (1) every member of the Association is accorded the right of audience and debate;
  - (2) the President shall preside as Chair, or if there is no President, or if the President is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice-President shall be the Chair or if the Vice-President is not present or is unwilling to act then the Club Representatives present shall elect one of their number to be Chair;
  - (3) the Chair shall maintain order and conduct the meeting in a proper and orderly manner;
  - (4) every question, matter or resolution shall be decided by a majority of votes of the Club Representatives present;

- (5) every Club Representative present shall be entitled to one vote and in the case of equality of votes the Chair shall have a casting vote: Provided that no Club Representative shall be entitled to vote at any general meeting if his/her club's annual affiliation fee is not current at the date of the meeting;
- (6) voting shall be by the show of hands or a division of Club Representatives, unless not less than one-fifth of the Club Representatives present demand a ballot, in which event there shall be a secret ballot. The Chair shall appoint two Club Representatives to conduct the secret ballot in such manner as he/she shall determine and the result of the ballot as declared by the Chair shall be deemed to be the resolution of the meeting at which the ballot was demanded;
- (7) a Club Representative may vote in person or by proxy or by attorney and on a show of hands every person present who is a Club Representative or a representative of a Club Representative shall have one vote and in a secret ballot every Club Representative present in person or by proxy or by attorney or other duly authorised representative shall have one vote;
- (8) the instrument appointing a proxy shall be in writing, in the common or usual form under the hand of the appointer 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 a secret ballot;
- (9) where it is desired to afford Club Representatives an opportunity of voting for or against a resolution the instrument appointing a proxy shall in the following form or a form as near thereto as circumstances permit: -

Affiliated Club: .....

I, \_\_\_\_\_ of \_\_\_\_\_, being the Representative duly appointed to the Association of the above affiliated club, hereby appoint \_\_\_\_\_ of \_\_\_\_\_, or failing him/her, \_\_\_\_\_ 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\_\_\_\_, and at any adjournment thereof.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature: .....

\*in favour of  
This form is to be used \*against the resolution.

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

- (10) the instrument appointing the 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; and
- (11) 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 into 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 Management Committee meeting shall be signed by the Chair of that meeting or the Chair of the next succeeding Management Committee meeting verifying their accuracy. Similarly, the minutes of every general meeting shall be signed by the Chair of that meeting or the Chair of the next succeeding general meeting: Provided that the minutes of any General Meeting shall be signed by the Chair of that meeting or the Chair of the next succeeding general meeting.

#### **BY-LAWS**

- 26. 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 of members.

#### **ALTERATION OF RULES**

- 27. Subject to the provisions of the Associations Incorporation Act 1981, 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 shall have been previously submitted to and approved by the Office of Fair Trading, Queensland Government, Brisbane.

#### **COMMON SEAL**

- 28. 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 a member of the Management Committee and shall be countersigned by the secretary or by a second member of the Management Committee or by some other person appointed by the Management Committee for the purpose.

### **FUNDS AND ACCOUNTS**

29. (1) 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.
- (2) Proper books and accounts shall be kept and maintained either in written or printed form in English language showing correctly the financial affairs of the Association and the particulars usually shown in a book of like nature.
- (3) All moneys shall be banked as soon as practicable after receipt thereof.
- (4) Payments will be made utilizing methods including but not limited to online banking, Credit card facility. All expenditure shall be approved or ratified at the Management Committee meeting.
- (5) The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system.
- (6) 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.
- (7) 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.
- (8) 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 moneys advanced to 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.

#### **DOCUMENTS**

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

#### **FINANCIAL YEAR**

31. The financial year of the Association shall close on (31<sup>st</sup> December) in each year.

#### **DISTRIBUTION OF SURPLUS ASSETS**

32. If the Association shall be wound up in accordance with the provisions of the Associations Incorporation Act 1981, and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Association, and which shall prohibit the distribution of its or their income and property amongst its members to an extent at least as great as is imposed on the Association under or by virtue of this rule, such institution or institutions to be determined by the members of the Association.