

**Women's Wellbeing  
Association Incorporated  
(No. IA32609)**

**Constitution 2019**

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## **1 Definitions**

(1) In these rules;

*Act* means the *Associations Incorporation Act 1981*.

*present*—

a) at a management committee meeting, see rule 20(6); or

b) at a general meeting, see rule 33(2).

(2) A word or expression that is not defined in these rules, but is defined in the Act has, if the context permits, the meaning given by the Act.

(3) In these rules, ‘Woman’ is defined as: any person who identifies as a female, and ‘Women’ shall have a corresponding meaning.

(4) To the extent of any inconsistency between these rules and the model rules (as defined in the *Associations Incorporation Act 1981* (Qld)), these rules shall prevail.

## **2 Name**

The name of the incorporated association is Women’s Wellbeing Association Inc. (*the association*).

## **3 Objectives**

The objectives of the association are:

(1) To be inclusive to all Women.

(2) Women’s Wellbeing Association Inc. is a not-for-profit body.

(3) To promote self-development and well-being for Women by providing:

a) Education through workshops and courses that are based on group work and self-awareness ;

b) Training for women interested in being leaders of Women’s groups;

c) Women with financial assistance to support self-development activities; and

d) Community building amongst Women, their families and beyond.

(4) To collect, generate and distribute information, literature and resources to Women on women’s wellbeing issues.

(5) 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 organisation.

## **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.

## **5 Classes of members**

(1) The membership of the association consists of four classes of membership, as follows:

a) Sistership Member; being persons who apply for and are granted membership and who pay the annual fee. Sistership Members have voting rights, whilst they are financial

b) Life Member; being all existing members of the association at the date on which these rules are formally adopted. Life Members retain voting rights for the association.

c) Honorary Lifetime Member; being persons who have been nominated and admitted by the management committee to be Honorary Lifetime Members as an

- acknowledgement of their significant contribution to the association. Honorary Lifetime Members retain voting rights for the association.
- d) Honorary Patron Member; being persons of influence in society, nominated and appointed through a formal vote by the management committee at any meeting of the management committee. Honorary Patron Members may be appointed for a term of 1 year commencing on the date of the management committee's resolution appointing the Honorary Patron Member, and this term may be renewed by a subsequent resolution of the management committee. Honorary Patron Members do not have voting rights for the association and are exempt from any membership fee.
- (2) Membership Eligibility:
- a) All members must be Women;
  - b) All members must be over 18 years of age; &
  - c) All members must agree to comply with any code of conduct which the management committee adopts and notifies members of, from time to time, which must be consistent with the Objectives as set out in this constitution (Code of Conduct)
- (3) The number of members in all classes is unlimited, except for Lifetime members which is limited to those Women who are existing members on the date on which these rules are formally adopted.

## **6 New Membership**

- (1) An applicant for membership of the association must complete an application and agree to comply with the constitution and any Code of Conduct if they become a Member.
- (2) An application for membership must be:
  - i. in writing; and
  - ii. in the form decided by the management committee,
- (3) The nomination and admission process for Life Members, Honorary Lifetime Members and Honorary Patron Members (as applicable) is set out in sub-rule 5(1) above.

## **7 Membership fees**

- (1) The fee for Membership Classes:
  - a) is the amount decided by the management committee from time to time; and
  - b) is payable when, and in the way, the management committee decides.
- (2) For clarity, Honorary Patron and Honorary Lifetime Members are exempt from an annual membership fee.

## **8 When membership ends**

- (1) The membership of a Sistership Member will automatically end if their annual subscription is not renewed within two months of the yearly subscription date as determined by the management committee under rule (7)(1)b). Further, to attend a Member only event, or an event at Member's Price, the Sistership Member must be financial
- (2) Any member may resign from the association by giving a written notice of resignation to the secretary.
- (3) The resignation takes effect at:
  - a) the time the notice is received by the secretary; or
  - b) if a later time is stated in the notice, the later time.
- (4) The management committee may terminate a members 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 herself in a way considered to be injurious or prejudicial to the character or interests of the association;

- e) behaves in a way that is not in alignment with this constitution or any Code of Conduct.
- (5) Before the management committee terminates a member's membership, the management committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- (6) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the management committee must give the member a written notice of the decision.
- (7) There are no rights of appeal against a rejection or termination of membership.

## **9 Register of members**

- (1) The management committee must keep a register of members of the association.
- (2) The register must include the following particulars:
- a) All classes of Membership:
    - i. the full name of the member;
    - ii. the postal or residential address of the member;
    - iii. the date of admission as a member;
    - iv. the date of death, time of resignation of the member, or date of lapse of payment in the case of Sistership Members 2 or more months in arrears (see 8 c) above);
    - v. details about the termination or reinstatement of membership;
    - vi. any other particulars the management committee decide.
- (3) The register must be open for inspection by management committee members of the association at all reasonable times. Members who are not members of the management committee are not entitled to access the register
- (4) A management committee 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.

## **10 Prohibition on use of information on register of members**

- (1) A member or management committee 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.
- (2) Subrule (1) does not apply if the use or disclosure of the information is approved by the association.

## **11 Appointment or election of secretary**

- a) (1) The secretary must be an individual residing in Queensland, or in another State but not more than 65km from the Queensland border, who is: a member of the association elected by the association as secretary; or
- b) any of the following persons appointed by the management committee as secretary:
  - i. a member of the association's management committee;
  - ii. another member of the association;

- iii. another person who is not a member of the association.
- (2) If a vacancy happens in the office of secretary, the members of the management committee must appoint a secretary, or have one elected by the association, within 1 month after the vacancy happens.
- (3) If the management committee appoints a person mentioned in subrule (1)(b)(ii) as secretary, other than to fill a casual vacancy on the management committee, the person does not become a member of the management committee.
- (4) However, if the management committee appoints a person mentioned in subrule (1)(b)(ii) as secretary to fill a casual vacancy on the management committee, the person becomes a member of the management committee.
- (5) If the management committee appoints a person mentioned in subrule (1)(b)(iii) as secretary, the person does not become a member of the management committee.
- (6) In this rule: **casual vacancy** on a management committee, means a vacancy that happens when an elected or appointed member of the management committee resigns, dies or otherwise stops holding office.

## **12 Removal of secretary**

- (1) The management committee of the association may at any time remove a person appointed by the management committee as the secretary.
- (2) If the management committee removes a secretary who is a person mentioned in rule 11(1)(b)(i), the person remains a member of the management committee, as elected by members
- (3) For clarity, if the management committee removes a secretary who is a person mentioned in rule 11(1)(b)(ii), the person does not remain a member of the management committee.

## **13 Functions of secretary**

The secretary's functions include, but are not limited to:

- a) calling meetings of the association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the president of the association; and
- b) keeping minutes of each meeting; and
- c) keeping copies of all correspondence and other documents relating to the association; and
- d) maintaining the register of members of the association.

## **14 Membership of management committee**

- (1) The management committee of the association consists of a president, treasurer, and any other management committee members elected at a general meeting.
- (2) A member of the management committee must be a member of the association, other than a secretary appointed by the management committee under rule 11(1)(b)(iii) (who is NOT a 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) A member of the association may be appointed to a casual vacancy on the management committee under rule 18.
- (5) For clarity:
  - a) **electd** – means an individual who has been voted onto the management committee *by the association* at the annual general meeting, or other general meeting
  - b) **appointed** – means the management committee has voted for an individual to fill a casual vacancy.

## **15 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 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 that is 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.
- (2) A person may be a candidate only if the person:
  - (a) is a member of the association; and
  - (b) is not ineligible to be elected as a member under section 61A of the Act.
- (3) 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;
  - (b) if the association has public liability insurance, the amount of the insurance.

## **16 Resignation, removal or vacation of office of management committee member**

- (1) A member of the management committee may resign from the management committee by giving written notice of resignation to the secretary.
- (2) The resignation takes effect at:
  - a) the time the notice is received by the secretary; or
  - b) if a later time is stated in the notice; at the later time.
- (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 members removal from office under this rule.
- (6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

## **17 Notification of certain office holders**

- (1) If the association appoints or elects a secretary for the association under section 65 of the Act, the members of the management committee must ensure the association notifies the chief executive (Office of Fair Trading) in the approved form of the appointment or election within 1 month after it happens.
- (2) The secretary of the association must notify the chief executive (Office of Fair Trading) in the approved form of a change to the membership of the offices of the president, secretary or treasurer within 1 month after it happens.

## **18 Vacancies on management committee**

- (1) If a casual vacancy happens on the management committee, the continuing members of the management 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 management committee members is less than the number fixed under rule 21(1) as a quorum of the management committee, 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.

## **19 Functions of management committee**

- (1) Subject to these rules or a resolution of the members of the association 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.
- (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 the associations rules are inconsistent with the 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 members of the association 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 associations 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
  - (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 subrule (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.

## **20 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 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 management 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 management committee member who participates in the meeting as mentioned in subrule (5) is taken to be present at the meeting.

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

(8) A member of the management committee 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 members vote must not be counted.

(9) The president is to preside as chairperson at a management committee meeting.

(10) 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 members may choose 1 of the management committee members to preside as chairperson at the meeting.

## **21 Quorum for, and adjournment of, management committee meeting**

(1) At a management committee meeting, more than 50% of the members elected to the management committee as at the close of the last general meeting of the members form a quorum.

(2) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called:

a) the meeting is to be adjourned for at least 1 day; and

b) the members of the management committee who are present are to decide the day, time and place of the adjourned meeting.

(3) If, at an adjourned meeting mentioned in subrule (2) there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

## **22 Special meeting of management committee**

(1) If the secretary receives a written request signed by at least 33% of the management committee members, the secretary must call a special meeting of the management committee by giving each member of the management committee notice of the meeting within 14 days after the secretary receives the request.

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

(3) A request for a special meeting must state:

a) why the special meeting is called; and

b) the business to be conducted at the meeting.

(4) 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.

(5) A special meeting of the management committee must be held within 14 days after notice of the meeting is given to the members of the management committee.

## **23 Minutes of management committee meetings**

(1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting are entered in a minute book.

(2) To ensure the accuracy of the minutes, 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.

## **24 Appointment of subcommittees**

(1) The management committee may appoint a subcommittee consisting of members of the association considered appropriate by the management committee to help with the conduct of the associations operations.

(2) A member of the subcommittee who is not a member of the management committee is not entitled to vote at a management committee meeting.

- (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.

## **25 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) Subrule (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.

## **26 Resolutions of management committee without meeting**

- (1) A written resolution signed by each member of the management committee is as valid and effectual as if it had been passed at a management committee meeting that was properly called and held.
- (2) A resolution mentioned in subrule (1) may consist of several documents in like form, each signed by 1 or more members of the management committee.

## **27 Annual general meetings**

Annual general meetings must be held:

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

## **28 Business to be conducted at annual general meeting of level 1 incorporated associations and particular level 2 and 3 incorporated associations**

- (1) This rule applies only if the association is—
  - (a) a level 1 incorporated association; or
  - (b) a level 2 incorporated association to which section 59 of the Act applies; or
  - (c) a level 3 incorporated association to which section 59 of the Act applies.
- (2) The following business must be conducted at each annual general meeting of the association—
  - (a) receiving the association's financial statement, and audit report, for the last reportable financial year;
  - (b) presenting the financial statement and audit report to the meeting for adoption;
  - (c) electing members of the management committee;
  - (d) for a level 1 incorporated association—appointing an auditor or an accountant for the present financial year;
  - (e) for a level 2 incorporated association, or a level 3 incorporated association, to which section 59 of the Act applies—appointing an auditor, an accountant or an approved person for the present financial year.

## **29 Business to be conducted at annual general meeting of other level 2 incorporated associations**

- (1) This rule applies only if the association is a level 2 incorporated association to which section 59A of the Act applies.

(2) The following business must be conducted at each annual general meeting of the association—

- (a) receiving the association's financial statement, and signed statement, for the last reportable financial year;
- (b) presenting the financial statement and signed statement to the meeting for adoption;
- (c) electing members of the management committee;
- (d) appointing an auditor, an accountant or an approved person for the present financial year.

### **30 Business to be conducted at annual general meeting of other level 3 incorporated associations**

(1) This rule applies only if the association is a level 3 incorporated association to which section 59B of the Act applies.

(2) The following business must be conducted at each annual general meeting of the association—

- (a) receiving the association's financial statement, and signed statement, for the last reportable financial year;
- (b) presenting the financial statement and signed statement to the meeting for adoption;
- (c) electing members of the management committee.

### **31 Notice of general meeting**

(1) The secretary may call a general meeting of the association, which includes an annual general meeting or a special general meeting.

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

(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 a proposed special resolution of the association.

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

### **32 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 there is a quorum of members when the meeting proceeds to business.

(4) If there is no quorum 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 there is no quorum 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—

- a) the meeting is to be adjourned for at least 7 days; and
- b) the management committee is to decide the day, time and place of the adjourned meeting.

(6) The chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.

- (7) If a meeting is adjourned under subrule (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (8) 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.
- (9) 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.

### **33 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 is to preside as chairperson; and
  - b) 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 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.

### **34 Voting at general meeting**

- (1) At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present
- (2) At a general meeting, a *special resolution* of an association can be passed by the votes of  $\frac{3}{4}$  of the members who are present and entitled to vote on the resolution.
- (2) Each member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, other than for a special resolution, the chairperson has a casting vote as well as a primary vote.
- (3) 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.
- (4) The method of voting is to be decided by the management committee.

### **35 Special general meeting**

- (1) The secretary must call a special general meeting by giving each member of the association 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 33% of the number of members of the management committee when the request is signed; or
- (2) A request mentioned in subrule (1)(b) must state:
  - a) why the special general meeting is being called; and
  - b) the business to be conducted at the meeting.
- (3) A special general meeting must be held within 3 months after the secretary:
  - a) is directed to call the meeting by the management committee; or
  - b) is given the written request mentioned in subrule (1)(b); or
- (4) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.

### **36 Proxies**

- (1) An instrument appointing a proxy must be in writing and must include the following information;
  - a) Association name;
  - b) Name of woman appointing the proxy;
  - c) Name of person to be appointed as proxy;
  - d) Meeting type and description;
  - e) Meeting date, day, year and location; and
  - f) Signature of the nominating member.
- (2) A proxy must be a member of the association.
- (3) 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.
- (4) Unless otherwise instructed by the appointor, the proxy may vote as the proxy considers appropriate.
- (5) If a member wants a proxy to vote for or against a resolution, the instrument appointing the proxy must be in a form to include a) to f) above and must stipulate how the proxy is to vote on each resolution, either 'in favour of', 'against' or 'abstain from' the resolution(s)

### **37 Minutes of general meetings**

- (1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are recorded and saved in a minute book that is kept in one central location as deemed appropriate for the management committee, while remaining compliant with the Act.
- (2) To ensure the accuracy of the minutes:
  - (a) 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
  - (b) 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.
- (3) If asked by a member of the association, the secretary must, within 28 days after the request is made:
  - (a) make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place; and
  - (b) give the member copies of the minutes of the meeting.
- (4) The association may require the voting member to pay the reasonable costs of providing copies of the minutes.

### **38 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.

### **39 Alteration of rules**

- (1) Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by the chief executive.

### **40 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 authorised by the management committee.

#### **41 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) A payment by the association of \$100 or more must be made by cheque or electronic funds transfer.
- (5) If a payment of \$100 or more is made by cheque, the cheque must be signed by any 2 of the following:
  - a) the president;
  - b) the secretary;
  - c) the treasurer;
  - d) any 1 of 3 other committee members of the association who have been authorised by the management committee to sign cheques issued by the association.
- (6) However, 1 of the persons who signs the cheque must be the president, the secretary or the treasurer.
- (7) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.
- (8) 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.
- (9) All expenditure must be approved or ratified at a management committee meeting.

#### **42 General financial matters**

- (1) On behalf of the management committee, the treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.
- (2) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

#### **43 Documents**

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

#### **44 Financial year**

The end date of the association's financial year is the 30<sup>th</sup> June in each year.

#### **45 Distribution of surplus assets to another entity**

- (1) This rule applies if the association:
  - a) is wound-up under part 10 of the Act; and
  - b) has surplus assets.
- (2) The surplus assets must not be distributed among the members of the association.
- (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 rule: *surplus assets* see section 92(3) of the Act.

#### **46 Personal Information**

(1) The association's Privacy Policy (available on request) sets out the process as to how members can access and correct any personal information collected by the association, as well as how members can make a complaint if the Privacy Act applies to the association and the association has breached the Privacy Act in the handling of a member's personal information.