

Queensland Association of School Tuckshops

Constitution

THIRD SCHEDULE

Queensland Association of School Tuckshops Inc. RULES *FINAL*

1.0 NAME

The name of the incorporated association shall be **QUEENSLAND ASSOCIATION OF SCHOOL TUCKSHOPS INC.** (in these rules called “the association”).

2.0 OBJECTS

2.1 The objects for which the association is established are:

To promote and support Queensland tuckshops and school communities in their endeavours to offer nutritious, hygienic and economically viable food services, in particular but not so as to limit the generality of the forgoing:

- To provide advice, information and support to school tuckshops and school communities on areas related to the operation of a tuckshop. Areas include but are not limited to: food and nutrition; environmental health and food hygiene; volunteer management (that is, the supervision and organisation of volunteer staff); and business management.
- To provide an open forum for raising issues pertinent to tuckshops and assist with mechanisms and direction for action.
- To encourage and support a coordinated approach by current and potential organisations in the provision of support services for tuckshops.
- To encourage and support members of the association to participate in regular training and obtain qualifications relevant to the day to day operation and management of a school tuckshop.
- To support school tuckshop convenors, staff and volunteers in establishing effective networks for communication and information sharing.
- To promote increased recognition of the important role of school tuckshops as an integral part of the school environment.
- To represent tuckshops by supporting or affiliating with like-minded bodies at a state or national level.

2.2 It will not be the role of the association to become involved in any matters relating to the wages and conditions of tuckshop staff, other than to direct persons or groups to their employer and/or relevant unions. The association will not lobby or mediate on behalf of individual schools, persons or groups of schools or persons.

- 2.3 The assets and income of the organisation shall be applied solely in furtherance of its abovementioned objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

3.0 POWERS

The powers of the association are:

- 3.1 The association has, in the exercise of its affairs, all the powers of an individual.
- 3.2 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.
- 3.3 The association may take over the funds and other assets and liabilities of the present unincorporated association known as the 'Queensland School Tuckshop Association' and/or 'Queensland School tuckshop Network'.
- 3.4 The association may also issue secured and unsecured notes, debentures and debenture stock for the association.
- 3.5 Award Life Membership as determined by the Management Committee to persons for meritorious service to, and on behalf of, the association.
- 3.6 The association may apply for the endorsement as a deductible gift recipient under Subdivision 30-BA of the Income Tax Assessment Act 1997 (Cth) (or as amended from time to time or under any legislative provision enacted in substitution for those provisions).

4.0 APPROVAL OF REFERRAL BODIES

- 4.1 All health and nutrition organisations, groups, individuals and publications referred to by the association for information and advice shall be approved by Queensland Health Department and/or the Department of Education.
- 4.2 All organisations, groups, individuals and publications referred to by the association, or to which the association refers members for information and advice, relating to education and other issues other than those listed in (4.1) of these rules must be approved by the Department of Education.
- 4.3 The management committee shall cause a register to be kept, in which shall be entered the names, residential address and contact number of all organisations, groups, individuals and publications admitted for referral. The Secretary shall be responsible for all entries and for the maintenance of accurate records.

5.0 CLASSES OF MEMBERSHIP

- 5.1 The membership of the association shall consist of:

5.1.1 Individual members

- a) Tuckshop workers / staff members
EG Tuckshop convenors, volunteers
- b) Other school community members
EG Individual teachers, principals

5.1.2 Affiliate members

- a) Approved health and education organisation and groups.
EG Australian Nutrition Foundation, National Heart Foundation.
- b) Parent Bodies
EG Queensland Council of Parents and Citizens Associations,
Independent Parents and Friends Council of Queensland.

5.1.3 Associate members

- a) Any other individual, group or association with an interest in the association.
EG Individual school Parents and Citizens Association or Parents and Friends groups, teacher or health professional bodies (such as Home Economics Association), food companies, health professionals.

5.1.4 Life Members

- a) Life membership may be awarded by the Management Committee, to persons for meritorious service to, and on behalf of, the association.
- b) The Management Committee will determine:
 1. the criteria for eligibility for life membership to be awarded.
 2. the process for nomination and selection.

5.2 The number of individual, affiliate and associate members shall be unlimited.

5.3 Voting Rights

Refer to (16.23) of these rules regarding procedure at general meetings for voting on motions, questions, matters and resolutions.

Life Members shall be entitled to one (1) vote each for the election of officers only.

5.3.1 Individual members

- a) Individual – tuckshop workers / staff members will be eligible to vote for the six (6) Individual – Tuckshop member’s positions on the management committee. Voting will take place at the annual general meeting. The successful candidates will be expected to consult widely with tuckshop workers / staff members and thus represent their views;
- b) Individual – other school community members will be eligible to vote for the two (2) Individual – Other member’s positions on the management committee. Voting will take place at the annual general meeting. The successful candidates will be expected to consult widely with other school community members and thus represent their views.

5.3.2 Affiliate members

- a) Affiliate – health and education members will be eligible to vote for the two (2) Affiliate – health and education member’s positions on the management committee. At least one (1) Affiliate – health and education member should have formal dietetic or nutrition qualifications. Voting will take place at the annual general meeting. If

there are no nominees in this membership category with suitable dietetic or nutrition qualifications, then the successful candidates will be expected to consult extensively with suitably qualified persons on relevant matters. The successful candidates will be expected to consult widely with other health and education members and thus represent their views;

- b) Affiliate – parent body members will each be asked to nominate a contact person for the association. Nominations must be received in time for the annual general meeting. The association will then invite two (2) Affiliate – parent body member contact persons to participate as members of the management committee. The decision of which contact persons to invite will be made by the management committee at the first management committee meeting after the annual general meeting. The successful nominees will be expected to consult widely with other parent body members and thus represent their views.

5.3.3 Associate members

Associate members have no voting rights.

6.0 MEMBERSHIP

- 6.1 The application for membership shall be made in writing, signed by the applicant and shall be in such form as the management committee from time to time prescribes.

7.0 MEMBERSHIP FEES

- 7.1 There is no joining fee payable.
- 7.2 The membership fees for each class of membership shall be such sum as the management committee shall from time to time determine.
- 7.3 Membership fees shall be due on the 31st of March each year and payable on or before this date. Variations to this date are at the discretion of the management committee.
- 7.4 Where the charge of the above mentioned membership fee would cause hardship or otherwise prevent a person, association, organisation or other from obtaining membership, the management committee in its absolute discretion may reduce or waive such subscription.
- 7.5 Members whose membership fees are more than two (2) months in arrears shall be deemed to have resigned.

8.0 ADMISSION AND REJECTION OF MEMBERS

- 8.1 A person who is eligible for membership under one of the categories listed in (5.0) of these rules, shall be admitted to membership upon:
 - a) completion of the membership form
 - b) payment of the prescribed fee; and
 - c) approval of admission by the management committee.

- 8.2** Criteria for admissions shall be determined and voted upon by the members at the annual general meeting each year.
- 8.3** As soon as practicable after the receipt of an application for membership, the Executive Officer shall refer the application to the management committee.
- 8.4** At the next meeting of the management committee after the receipt of any application and the appropriate fee for any class of membership, such application shall be considered by the management committee, who shall determine upon the admission or rejection of the applicant.
- 8.5** Any applicant who received a majority of the votes of the members of the management committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
- 8.6** Upon acceptance or rejection of an application for any class of membership, the Executive Officer shall forthwith give the applicant notice in writing of such acceptance or rejection.
- 8.7** When accepted as a member, the Executive Officer shall enter the applicant's name in the register of members to be kept by the Executive Officer whereby the applicant becomes a member of the association.
- 8.8** If application for any class of membership is rejected, the Executive Officer shall notify the applicant in writing of their right to appeal and method of doing so as set out in (11) of these rules.

9.0 TERMINATION OF MEMBERSHIP

- 9.1** A member may resign from the association at any time by giving notice in writing to the Executive Officer. Such resignation shall take effect at the time such notice is received by the Executive Officer unless a later date is specified in the notice when it shall take effect on that later date.
- 9.2** At the next meeting of the management committee, the Executive Officer will notify the management committee of the resignation.
- 9.3** Upon the resignation of a member as specified in (9.1), the Executive Officer shall make in the register of members an entry recording the date on which the member by whom the notice was given, ceased to be a member.

10.0 EXPULSION OF MEMBERS

- 10.1** The management committee may suspend or terminate the membership of any member of the association if the member:
- a) is convicted of an indictable offence; or
 - b) fails to comply within any provisions of these rules; or
 - c) has membership fees in arrears for a period of two (2) months or more; or
 - d) conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the association.
- 10.2** The Executive Officer shall, as soon as possible after the decision of the management committee to suspend or terminate membership, give written notice to the member, stating the management committee's grounds for the proposed suspension or termination and indicating

the member's right of appeal.

11.0 APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- 11.1** A person, school, organisation, association or other whose application for membership has been rejected or whose membership has been terminated or suspended may within thirty (30) days of receiving written notification thereof, lodge with the executive Officer written notice of their intention to appeal against the decision of the management committee.
- 11.2** Upon receipt of a notification of intention to appeal against rejection, termination or suspension of membership, the Executive Officer shall convene, within sixty (60) days, a meeting of the management committee. At any such meeting, the applicant will be given the opportunity to fully present their case (orally, in writing or both) and the management committee or those members who rejected the application for membership or terminated / suspended the membership shall likewise have the opportunity of presenting their or its case. The appeal shall be determined by the majority of votes by secret ballot of the members present at such meeting.
- 11.3** The Executive Officer will notify the member in writing of the decision of the management committee within fourteen (14) days of the meeting.
- 11.4** Where a person whose application for membership is rejected, does not appeal against the decision of the management committee within the time prescribed in these rules or so appeals but the appeal is unsuccessful, the secretary shall forthwith refund the amount of any fee paid.

12.0 REGISTER OF MEMBERS

- 12.1** The management committee shall cause a register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the association and the dates of their admission. The Executive Officer will be responsible for all entries.
- 12.2** Particulars shall also be entered into the register of resignations, terminations and reinstatement of membership and any further particulars as the management committee or the members at any general meeting may require from time to time.
- 12.3** The register shall be open for inspection at all reasonable times by any member who previously applies to the Executive Officer for such inspection.
- 12.4** Copies, or part thereof, of the register of members may be available upon written request and permission from the management committee.

13.0 SECRETARY

- 13.1** If the association has not elected an interim officer as Secretary for the association before its incorporation, the members of the management committee must appoint or elect a Secretary for the association within fourteen (14) days after the vacancy happens.
- 13.2** If a vacancy happens in the office of Secretary, the members of the management committee must appoint or elect a Secretary within fourteen (14) days after the vacancy happens.
- 13.3** The Secretary must be an individual residing in the State who is:
- a)** a member of the association elected by the association as Secretary; or

- b) a member of the association's management committee appointed by the committee as a Secretary; or
- c) appointed by the management committee as Secretary (whether or not the individual is a member of the association).

13.4 The management committee may appoint and remove the Secretary at any time.

14.0 MEMBERSHIP OF MANAGEMENT COMMITTEE

14.1 The management committee of the association shall consist of and their voting rights on the committee are:

14.1.1 Individual membership representatives – one (1) vote per representative:

- a) Six (6) Individual – tuckshop worker / staff member representative;
- b) Two (2) Individual – other school community member representatives.

14.1.2 Affiliate membership representatives – one (1) vote per representatives:

- a) Two (2) Affiliate – health and education representative;
- b) Two (2) Affiliate – parent body representatives.

14.1.3 Associate membership representatives:

There will be no representation of this membership category on the management committee.

14.1.4 Government body representatives – no voting rights on the management committee. These government departments will be asked to nominate a representative for the management committee –

- a) One (1) Queensland Health Department representative;
- b) One (1) Department of Education representative.

14.1.5 The Management Committee may appoint any Life Member to the Management Committee with one (1) vote per member.

14.2 The office bearers on the association shall be: President, two (2) Vice Presidents, Treasurer, all of whom shall be members of the association, and Secretary, and such number of members as the voting members of the association at any general meeting may from time to time elect or appoint.

14.3 At the annual general meeting of the association, all the members of the management committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.

14.4 The election of officers and other members of the management committee shall take place in the following manner:

- a) Any two (2) 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 the member and their proposer and seconder, shall be lodged with the Secretary at least fourteen (14) days before the annual general meeting at which the election is to take place;
- c) If insufficient nominations are received any vacant positions remaining on the management committee shall be deemed as casual positions;
- d) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected;
- e) If the number of nominations received exceeds the number of vacancies to be filled, a secret ballot shall be held; and
- f) Office bearers shall hold the same position for no more than three (3) consecutive years.

14.5 Resignation from the management committee:

- a) Any member of the management committee may resign from membership of the 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 their case.
- b) The question of removal shall be determined by the vote of the voting members present at such a general meeting.
- c) There is no right of appeal against a member's removal from office under this section.

14.6 Vacancies on the management committee:

- a) 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.
- b) 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.

14.7 Duties of Office Bearers:

14.7.1 President

- a) To act as chair at all meetings of the management committee, annual general meetings and any special meetings.
- b) In the Capacity of Chair – exhibit impartiality, firmness, tact and common sense.
- c) Ensure that all meetings are properly convened.

- d) Represent the management committee in cooperation with the Executive Officer
- e) Act on valid requisitions from members.

14.7.2 Vice Presidents

- a) Chair meetings in the absence of the President
- b) Participate in the Executive Officer's performance appraisal.
- c) Stand in lieu of the President when the President is unavailable.

14.7.3 Secretary

- a) Handle all inward and outward correspondence relevant to the functioning of the management committee and the association.
- b) Present to each meeting the minute book, all necessary correspondence and any other records or files.
- c) Maintain a cumulative index of motions and report to the President any unfulfilled resolutions.

14.7.4 Treasurer

- a) Be responsible for the receipt of all monies paid to or received on behalf of the association, and issue receipts for those monies in the name of the association.
- b) Ensure all receipts are paid into a bank account in the name of the association and all payments made either by cheque or from an approved petty cash account.
- c) Submit to the management committee a report, balance sheet or financial statement at each meeting.
- d) All cheques drawn on bank accounts of the association shall be signed by any two of the President, Vice President, Executive Officer or Treasurer.
- e) Make payment from the funds of the association with the authority of the management committee.
- f) Maintain the necessary accounting records of the association.
- g) Have custody of all securities, books and documents of a financial nature and account records of the association.

14.8 Executive Officer

This position will be a 'paid' position, conditions and specific roles of which will be determined by the management committee from time to time. The Executive Officer will support and assist all other office bearers in their duties.

15.0 FUNCTIONS OF THE MANAGEMENT COMMITTEE

- 15.1** Except as otherwise provided by these rules and subject to resolutions of the members of the association 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 the authority to interpret the meaning of these rules and any matter relating to the association on which these rules are silent.

15.2 The management committee may exercise all the powers 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 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; and
- 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.

16.0 MEETINGS

Meetings shall be known as:

- a) management committee meeting – a meeting of management committee members once within every two (2) calendar month period;
- b) sub-committee meeting – a meeting of sub-committees of the association on an as needed basis;
- c) annual general meeting; and
- d) special general meeting – a general meeting of association members other than the annual general meeting.

Management Committee Meetings:

- 16.1** The management committee shall meet at least once every two (2) calendar months to exercise its functions.
- 16.2** A special general 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 a special meeting is being convened and the nature of the business to be transacted thereat.
- 16.3** Members must be given no less than fourteen (14) days notice in writing of a special general meeting.
- 16.4** At any management committee meeting, six (6) of its members shall form a quorum.
- 16.5** At any management committee meeting where the President and Vice Presidents are not present within ten (10) minutes after the time appointed for holding the meeting, the members present may choose one (1) of their number to be Chairperson of the meeting.

- 16.6** Subject as previously provided in this rule, the management committee may meet together and regulate its proceedings as it thinks fit; provided that questions arising at any meeting of the management committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.
- 16.7** A member of the management committee shall not vote in respect of any contract or proposed contract with the association in which they are interested, or any matter arising thereout, and if they do so, the vote shall not be counted.
- 16.8** Not less than fourteen (14) 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.

Sub-Committee Meetings

- 16.9** 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.
- 16.10** A sub-committee may elect a Chairperson of its meetings. If no such Chairperson is elected, or if at any meeting the Chairperson is not present within ten (10) minutes after the time appointed for holding the meeting, the members present may choose one (1) of their number to be Chairperson of the meeting.
- 16.11** A sub-committee shall choose to invite the expertise of individuals who are not members of the association, if such expertise cannot be gained from the members of the association.
- 16.12** 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 equality of votes, the question shall be deemed to be decided in the negative.
- 16.13** All findings of the sub-committee meetings must be tabled at a management committee meeting and voted upon by the members.

Annual General Meetings and Special General Meetings:

❖ First Annual General Meeting

- 16.14** The first general meeting shall be held at such time, not being less than one (1) month nor more than three (3) months after the incorporation of the association, and at such place as the management committee determine.
- 16.15** The business to be transacted at the first general meeting must include the appointment of an auditor.
- 16.16** The first annual general meeting shall be held within eighteen (18) months after the day the association is incorporated.

❖ Subsequent Annual General Meetings

- 16.17** Each subsequent annual general meeting must be held –
- a)** at least once each year; and
 - b)** within six (6) months after the end of the association's previous financial year.

❖ Business to be Transacted at Annual General Meeting

- 16.18** The business to be transacted at every general meeting shall be –

- a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
- b) the receiving of the management committee's report and the statement of income and expenditure, assets and liabilities and of mortgages, charges and securities affecting the property of the association and the preceding financial year;
- c) the receiving of the auditor's report upon the books and accounts for the preceding financial year;
- d) the election of members of the management committee; and
- e) the appointment of the auditor.

❖ **Special General Meeting**

16.19 The management committee shall, on the requisition in writing of not less than fifteen (15) percent of the total number of members, convene a special general meeting of the association.

16.20 A requisition of members for a special general meeting shall:

- a) state the purpose or purposes of the meeting;
- b) be signed by the members making the request;
- c) be lodged with the Secretary; and
- d) be lodged on the appropriate form – as given by the association and signed by each member wishing to lodge the requisition.

❖ **Quorum at General Meeting**

16.21 At any general meeting the number of members required to constitute a quorum shall be double the number of members presently on the management committee plus one (1).

- a) No business shall be transacted at any general meeting unless a quorum of the members is present at the time when the meeting proceeds to business. For the purposes of this rule "member" includes a person attending as a proxy or as representing a corporation which is a voting member.
- b) If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the management committee of the association, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the management committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.
- c) The Chairperson 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 (30) days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

❖ **Notice of General Meeting**

16.22 The Secretary shall convene all general meetings of the association by giving not less than fourteen (14) days notice of any such meeting to the members of the association.

- a) the manner by which such notice shall be given shall be determined by the management committee, provided that notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his membership by the management committee, shall be given in writing. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

❖ **Procedure at General Meeting**

16.23 Unless otherwise provided by these rules, at every general meeting -

- a) the President shall preside as Chairperson, or if there is no President, or if he or she is not present within fifteen (15) minutes after the time appointed for the holding of the meeting or is unwilling to act, one of the Vice – Presidents shall be the Chairperson or if the Vice-Presidents are not present or are unwilling to act then the members present shall elect one of their number to be Chairperson of the meeting;
- b) the Chairperson shall maintain order and conduct the meeting in a proper and orderly manner;
- c) every question, matter or resolution shall be decided by a majority of votes of the voting members present;
- d) every voting member present shall be entitled to one (1) vote and in the case of an equality of votes the Chairperson shall have a second or casting vote. Provided that no member shall be entitled to vote at any general meeting if his annual subscription is more than one (1) month in arrears at the date of the meeting;
- e) voting shall be by a show of hands or a division of members, unless not less than one fifth of the members present demand a ballot, in which event there shall be a secret ballot. The Chairperson shall appoint two (2) members to conduct the secret ballot in such manner as he or she shall determine and the result of the ballot as declared by the Chairperson shall be deemed to be the resolution of the meeting of which the ballot was demanded.
- f) a voting member may vote in person or by proxy or by attorney and on a show of hands every person present who is a voting member or a representative of a voting member shall have one (1) vote and in a secret ballot every voting member present in person or by proxy or by attorney or other duly authorised representative shall have one (1) vote;
- g) the instrument appointing a proxy shall be in writing, in the common or usual form, under the hand of the appointor or of his attorney duly authorised in writing or, if the appointor is a corporation, either under seal or under the hand of an officer or attorney duly authorised. A proxy may but need not be a member of the association. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot;
- h) where it is desired to afford voting members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit:-

Queensland Association of School Tuckshops Inc.

I, _____ of, _____, being a voting

member of the above named Association, hereby appoint, _____ of,
_____ or failing him or 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
_____, 19_____, and at any adjournment thereof.

Signed this _____ day of _____, 19_____
Signature

This form is to be used in favour of / against the resolution. (Strike out whichever is not desired.) Unless otherwise instructed, the proxy may vote as he thinks fit.

- i) the instrument appointing a proxy shall be deposited with the Secretary prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument proposes to vote; and
- j) the Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every management committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every management committee meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding management committee meeting verifying their accuracy. Similarly, the minutes of every general meeting shall be signed by the Chairperson of that meeting or the Chairperson of the

- k) next succeeding general meeting, provided that the minutes of any annual general meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding general meeting or annual general meeting,

17.0 BY-LAWS

- 17.1 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.

18.0 ALTERATION OF RULES

- 18.1 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. However, an amendment, rescission or addition shall only be valid if it is registered by the chief executive.

19.0 COMMON SEAL

- 19.1 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.

20.0 FUNDS AND ACCOUNTS

- 20.1 The funds of the association must be kept in the name of the association in a financial institution decided by the management committee.
- 20.2 Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the association and the particulars usually shown in books of a like nature.
- 20.3 All moneys shall be deposited as soon as practicable after receipt thereof.
- 20.4 All amounts of one hundred dollars (\$100) or more shall be paid by an audited approved electronic funds transfer process (EFT) or by cheque, authorized / signed by any two of the President, Secretary, Treasurer or other personnel as authorized from time to time by the management committee.*
- 20.5 Cheques shall be crossed “not negotiable” except those in payment of wages, allowances or petty cash recoupment which may be open.
- 20.6 The management committee shall determine the amount of petty cash which shall be kept on the imprest system.
- 20.7 All expenditure shall be approved or ratified at a management committee meeting.
- 20.8 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.

20.9 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.

20.10 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 by him or her to the association or otherwise owing by the association to him or her 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.

21.0 DOCUMENTS

21.1 The management committee shall provide for the safe custody of books, documents, instruments of title and securities of the association.

22.0 FINANCIAL YEAR

22.1 The financial year of the association shall close on 30th June in each year.

23.0 DISTRIBUTION OF SURPLUS ASSETS

23.1 If the association shall be wound up in accordance with the provisions of the *Associations Incorporations Act 1981*, and there remain, 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 among its or their members to an extent at least as great as is imposed on the association, and also which is a fund, authority or institution which is exempt from income tax, such institution or institutions to be determined by the members of the association.

23.2 In the event of the organisation being wound up, any surplus assets remaining after the payment of the organisation's liabilities shall be transferred to another organisation with similar objects to which income tax deductible gifts can be made.

23.3 If the endorsement of the organisation as a deductible gift recipient is revoked, the following shall be transferred to another organisation to which income tax deductible gifts can be made – any surplus:

- a) gifts of money or property for the principal purpose of the organisation
- b) contributions made in relation to an eligible fundraising event held for the principal purpose of the organisation, and
- c) money received by the organization because of such gifts and contributions.

