

GEELONG WATERSKI CLUB INCORPORATED

RULES

(of the body to be formed and known as Geelong Waterski Club Incorporated)

1. Name

The name of the incorporated Association is Geelong Waterski Club Incorporated (in these Rules called "the Association").

2. Definitions

2.1. In these Rules, unless the contrary intention appears:

"Act" means the Associations Incorporation Act 1981;

"committee" means the committee of management of the Association;

"domestic partner" has the same meaning as in The Statute Law Amendment (Relationships) Act 2001;

"financial year" means the year ending on 30 June;

"general meeting" means a general meeting of members convened in accordance with rule 13;

"member" means a member of the Association;

"objects" means the objects of the Association, namely,

- to foster the sport of water skiing particularly in Geelong and District
- to promote tournaments and regattas and to create public interest in the sport of water skiing
- to take any action which may be deemed desirable in the interests of the Association;

"ordinary member of the committee" means a member of the committee who is not an officer of the Association under Rule 22;

"Regulations" means regulations under the Act;

"relevant documents" has the same meaning as in the Act;

"rights " and "privileges" means the use of the clubhouse, the ramp, slalom, and other facilities of the Association (whether owned or leased by it).

2.2. In these Rules, a reference to the Secretary of an Association is a reference:

- 2.2.1. if a person holds office under these Rules as Secretary of the Association
 - to that person; and

2.2.2. in any other case, to the public officer of the Association.

3. **Alteration of the rules**

These Rules and the statement of purposes of the Association must not be altered except in accordance with the Act.

4. **Membership**

4.1. The Association shall consist of the following classes of members:

- 4.1.1. individual members;
- 4.1.2. family members
- 4.1.3. boat owner members;
- 4.1.4. junior members;
- 4.1.5. fisherman members;
- 4.1.6. boat dealer members;

all of whom must also be current financial members of the Geelong Water Sports Club Incorporated.

4.2. The Association shall consist of the following classes of non-financial members:

- 4.2.1. life members;
- 4.2.2. temporary members;
- 4.2.3. guest members.

4.3. Eligibility for Membership

4.3.1. All persons who are financial members of the incorporated association now called Geelong Water Sports Club Incorporated as at the time of incorporation of the Association should be members of the Association in such class as they hold in such incorporated association and where there is no such class as determined by the Committee.

4.3.2. A person who is not an individual member or a boat owner member of the Association at the time of the incorporation of the Association (or who was a member at that time but has ceased to be a member) must not be admitted to membership unless:

- 4.3.2.1. he or she applies for the relevant membership in accordance with sub-rule 4.2.1.3 ; and
- 4.3.2.2. the admission to the specified class of membership is approved by the committee;

4.4. an application of a person for membership of the Association must:

- 4.4.1. be made in writing in the form set out in Appendix 1; and
- 4.4.2. be lodged with the Secretary of the Association; and

- 4.5. be accompanied with payment of the sum payable under these Rules as the entrance fee and the first year's annual subscription.
 - 4.5.1. as soon as is practicable after the receipt of an application, the secretary shall refer the nomination to the committee;
 - 4.5.2. the Treasurer shall hold the payment referred to in sub-rule 4.2.1.3.3 in escrow pending a determination by the committee whether to approve or reject the application.
- 4.6. the committee must determine whether to approve or reject the application;
- 4.7. if the committee approves an application for membership, the Secretary must, as soon as practicable:
 - 4.7.1. notify the applicant in writing of the approval for membership; and
 - 4.7.2. forward to the applicant a receipt in respect of the payment referred to in sub-clause 4.2.1.3.3
 - 4.7.3. furnish the applicant with a copy of the rules and regulations of the Association;
- 4.8. the Secretary must, within 28 days after the Treasurer issues the receipt referred to in sub-rule 4.2.1.3.3, enter the applicant's name in the register of members;
- 4.9. an applicant for membership becomes a member and is entitled to exercise the rights associated with the specified membership when his or her name is entered in the register of members;
- 4.10. if the committee rejects an application:
 - 4.10.1. the Secretary must, as soon as practicable, notify the applicant in writing that the application has been rejected; and
 - 4.10.2. the Treasurer must refund in full the payment referred to in sub-rule 4.2.1.3.3.
- 4.11. in the event of a ballot, if two adverse votes in five by the committee are recorded in relation to an application, the application automatically shall be rejected;
- 4.12. a right, privilege, or obligation of a person by reason of membership of the Association:
 - 4.12.1. is not capable of being transferred or transmitted to another person; and
 - 4.12.2. terminates upon the cessation of membership whether by death or resignation or otherwise;
- 4.13. an entry fee is payable;
- 4.14. an annual subscription is payable.
- 4.15. Members of any class of membership who have applied for leave of absence but who wish to rejoin the Association shall not be obliged to pay a further entry fee but their readmission shall in all other respects be governed by the rules relating to the admission of new members to those classes.
- 4.16. Consequences of non-payment of subscriptions.
 - 4.16.1. Any member who has not paid all subscriptions due by him or her to the Association shall not:

- 4.16.1.1. be allowed to take part in any Association activity;
- 4.16.1.2. be entitled to accept any office in the Association;
- 4.16.1.3. be entitled to vote (if a member of a class entitled to vote)
- 4.16.2. A member who has failed to pay the subscription on or before 1 October of the current season shall cease to be a member and shall only be reinstated upon payment of:
 - 4.16.2.1. a fine not exceeding \$10.00; and
 - 4.16.2.2. the past due subscription(s).
- 4.17. Individual member
 - 4.17.1. A person who applies to become an individual member must:
 - 4.17.1.1. be not less than sixteen years of age;
 - 4.17.1.2. live within a forty kilometre radius of the Geelong Post Office, although this residential qualification may be waived at the unanimous discretion of the committee;
 - 4.17.1.3. be proposed and seconded by financial individual members of the Association.
- 4.18. Boat owner member requirements
 - 4.18.1. A person who applies to become a boat owner member must:
 - 4.18.1.1. be not less than sixteen years of age;
 - 4.18.1.2. live within a forty kilometre radius of the Geelong Post Office, although this residential qualification may be waived at the unanimous discretion of the committee;
 - 4.18.1.3. be proposed and seconded by financial individual members of the Association;
 - 4.18.1.4. the applicant must be the owner of a boat which at the first day of October of each current season, is listed with the Association.
- 4.19. Junior members
 - 4.19.1. To be eligible to join the Association as a junior member the applicant as at 1 July of the current season must be:
 - 4.19.1.1. under the age of eighteen years; or
 - 4.19.1.2. a full time student under the age of twenty-five years.
 - 4.19.2. live within a forty kilometre radius of the Geelong Post Office, although this residential qualification may be waived at the unanimous discretion of the committee;
 - 4.19.3. be proposed and seconded by financial individual members of the association.
 - 4.19.4. An entry fee and an annual subscription is payable.
 - 4.19.5. On attaining the age of eighteen years, or ceasing to be a full time student whilst under the age of twenty-five years (whichever the case shall be) the member shall cease to be a junior member.

- 4.19.6. Upon payment of the subscription applicable to the individual member class of membership, and, upon satisfying the other criteria relating to that class, the former junior member shall be eligible to become an individual member.
- 4.20. Family members
 - 4.20.1. An individual member and his or her domestic partner and any children they have who qualify as junior members are eligible to be registered as family members;
 - 4.20.2. live within a forty kilometre radius of the Geelong Post Office, although this residential qualification may be waived at the unanimous discretion of the committee;
 - 4.20.3. be proposed and seconded by financial individual members of the association.
 - 4.20.4. An entry fee and annual subscription is payable.
- 4.21. Fisherman members
 - 4.21.1. A person applying to become a fisherman member shall be required to agree to abide by the following conditions:
 - 4.21.1.1. be the legally registered owner of the boat being used;
 - 4.21.1.2. be the only person driving the boat or otherwise having control over it;
 - 4.21.1.3. the launching of his or her boat shall only be permitted from the ramp owned by Geelong Water Sports Club Incorporated;
 - 4.21.1.4. shall only be permitted to do fishing. Neither the fisherman member nor any person (friend or family) shall be allowed to waterski;
 - 4.21.1.5. no fishing shall be permitted in the vicinity of the slalom course or jump course;
 - 4.21.1.6. the boat used for fishing must be less than five metres in length and have a motor that does not exceed twenty-five horse power;
 - 4.21.1.7. the boat used must pass an annual Association scrutineering;
 - 4.21.1.8. an entry fee and an annual subscription is payable.
 - 4.21.2. live within a forty kilometre radius of the Geelong Post Office, although this residential qualification may be waived at the unanimous discretion of the committee;
 - 4.21.3. be proposed and seconded by financial individual members of the association.
- 4.22. Temporary members
 - 4.22.1. A person may apply for temporary membership to the Association provided he or she is nominated by a member of the Association;

- 4.22.2. If the application is approved by the committee, temporary membership for a period of one week only at any one time will be granted;
- 4.22.3. The temporary membership fee is the relevant amount declared by the Secretary from time to time.

4.23. Dealer members

- 4.23.1. A person may apply for membership to the Association as a dealer member provided the applicant:
 - 4.23.1.1. is a licensed boat dealer;
 - 4.23.1.2. can produce evidence of such insurance as the committee shall deem necessary;
 - 4.23.1.3. undertakes and agrees ensuring that all demonstrations will only take place upstream from the jump course;
 - 4.23.1.4. undertakes and agrees that no skiing occurs during any demonstrations;
 - 4.23.1.5. undertakes and agrees that all boats will only be launched from the upstream ramp; and
 - 4.23.1.6. has paid an entry fee and an annual subscription.
- 4.23.2. live within a forty kilometre radius of the Geelong Post Office, although this residential qualification may be waived at the unanimous discretion of the committee;
- 4.23.3. be proposed and seconded by financial individual members of the association.

4.24. Life Members

- 4.24.1. From time to time the Committee may nominate a person who is a current financial individual member or boat owner member of the Association for life membership;
- 4.24.2. The nomination shall be proposed as a special resolution to be voted on at an annual general meeting of the Association and shall be accepted if carried by not less than 75% of the quorum of members entitled to vote who are present at the annual general meeting;
- 4.24.3. a life member is not required to pay the entry fee and annual subscription of the Association;
- 4.24.4. the spouse or partner of a Life Member must pay the entry fee and annual subscription of the Association.

4.25. Guest members

- 4.25.1. A guest:
 - 4.25.1.1. must be signed in by a financial member of the Association (being any class of member excluding temporary members);

4.25.1.2. must not drive or otherwise take control of any boats whilst visiting or using the facilities of the Association or Geelong Water Sports Club Incorporated;

4.25.1.3. shall not be allowed to be signed in as a guest member for more than five days (whether consecutive or otherwise) in any one year.

4.26. The entrance fee is the relevant amount declared by the Secretary from time to time.

4.27. The annual subscription is the relevant amount declared by the Secretary from time to time and is payable in advance on or before 1 July in each year.

5. Register of members

5.1. The Secretary must keep and maintain a register of all members containing:

5.1.1. the name and address of each member; and

5.1.2. the date on which each member's name was entered in the register; and

5.1.3. the class of membership to which a person belongs.

5.2. The register is to be available for inspection free of charge by any member upon request.

5.3. A member may make a copy of entries in the register.

6. Ceasing membership

6.1. A member of the Association who has paid all moneys due and payable by a member to the Association may resign from the Association by giving one month's notice in writing to the Secretary of his or her intention to resign.

6.2. After the expiry of the period referred to in sub-rule 6.1:

6.2.1. the member ceases to be a member; and

6.2.2. the Secretary must record in the register of members the date on which the member ceased to be a member.

6.3. Any member of the Association, irrespective of the class of membership, retiring from the Association, or ceasing to be a member, shall not be entitled to, or have any claims on, any portion of the property or assets of the Association.

7. Entry fees and subscription fees

7.1. Entry fees, subscriptions and any other charges to be paid by any members of the Association, irrespective of the class of membership, shall be determined by the committee and the amount(s) shall be as set out on the Association's registered website, as varied from time to time.

7.2. Subscriptions are payable on or before 1 July in each and every year of membership.

8. Discipline, suspension and expulsion of members

- 8.1. Subject to these Rules, if the committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association, the committee may by resolution:
 - 8.1.1. fine that member an amount not exceeding \$500.00; or
 - 8.1.2. suspend that member from membership of the Association for a specified period; or
 - 8.1.3. expel that member from the Association.
- 8.2. A resolution of the committee under sub-rule 8.1 does not take effect unless:
 - 8.2.1. at a meeting held in accordance with sub-rule 8.3, the committee confirms the resolution; and
 - 8.2.2. if the member exercises a right of appeal to the Association confirms the resolution in accordance with this rule.
- 8.3. A meeting of the committee to confirm or revoke a resolution passed under sub-rule 8.1 must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with sub-rule 8.4.
- 8.4. For the purposes of giving notice in accordance with sub-rule 8.3, the Secretary must, as soon as practicable, cause to be given to the member a written notice:
 - 8.4.1. setting out the resolution of the committee and the grounds on which it is based; and
 - 8.4.2. stating that the member, or his or her representative, may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that member; and
 - 8.4.3. stating the date, place and time of that meeting; and
 - 8.4.4. informing the member that he or she may do one or both of the following:
 - 8.4.4.1. attend that meeting;
 - 8.4.4.2. give to the committee before the date of that meeting a written statement seeking the revocation of the resolution;
 - 8.4.5. informing the member that, if at that meeting, the committee confirms the resolution, he or she may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- 8.5. At a meeting of the committee to confirm or revoke a resolution passed under sub-rule 8.1, the committee must:
 - 8.5.1. give the member, or his or her representative, an opportunity to be heard; and
 - 8.5.2. give due consideration to any written statement submitted by the member; and
 - 8.5.3. determine by resolution whether to confirm or to revoke the resolution.

- 8.6. If at the meeting of the committee, the committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- 8.7. If the Secretary receives a notice under sub-rule 8.6, he or she must notify the committee and the committee must convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.
- 8.8. At a general meeting of the Association convened under sub-rule 8.7:
 - 8.8.1. no business other than the question of the appeal may be conducted; and
 - 8.8.2. the committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
 - 8.8.3. the member, or his or her representative, must be given an opportunity to be heard; and
 - 8.8.4. the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- 8.9. A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked.

9. Disputes and mediation

- 9.1. The grievance procedure set out in this rule applies to disputes under these Rules between:
 - 9.1.1. a member and another member; or
 - 9.1.2. a member and the Association.
- 9.2. The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- 9.3. If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 9.4. The mediator must be:
 - 9.4.1. a person chosen by agreement between the parties; or
 - 9.4.2. in the absence of agreement:
 - 9.4.2.1. in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
 - 9.4.2.2. in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- 9.5. A member of the Association can be a mediator.
- 9.6. The mediator cannot be a member who is a party to the dispute.
- 9.7. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 9.8. The mediator, in conducting the mediation, must:

- 9.8.1. give the parties to the mediation process every opportunity to be heard;
and
 - 9.8.2. allow due consideration by all parties of any written statement submitted by any party; and
 - 9.8.3. ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 9.9. The mediator must not determine the dispute.
- 9.10. If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

10. Annual general meetings

- 10.1. The committee shall convene the annual general meeting of the Association on the last Friday in July.
- 10.2. The notice convening the annual general meeting must specify that the meeting is an annual general meeting.
- 10.3. The ordinary business of the annual general shall be:
 - 10.3.1. to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
 - 10.3.2. to receive from the committee reports upon the transactions of the Association during the last preceding financial year; and
 - 10.3.3. to elect officers of the Association and the ordinary members of the committee and the nominations for the offices and ordinary members of the committee shall be set out in the notice; and
 - 10.3.4. to receive and consider the statement submitted by the Association in accordance with section 30(3) of the Act.
- 10.4. The annual general meeting may conduct any special business of which notice has been given in accordance with these Rules.

11. Special general meetings

- 11.1. In addition to the annual general meeting, at least one special general meeting must be convened on or before the last day of February of each year. Other general meetings may be held in the same year at any time provided they have been convened in accordance with these Rules.
- 11.2. All general meetings other than the annual general meeting are special general meetings.
- 11.3. The committee may, whenever it thinks fit, convene a special general meeting of the Association.
- 11.4. If, but for this sub-rule, more than 12 months would elapse between annual general meetings, the committee must convene a special general meeting before the expiration of that period.

- 11.5. The committee must, on the request in writing of not less than ten financial voting members, convene a special general meeting of the Association.
- 11.6. The request for a special general meeting must:
 - 11.6.1. state the objects of the meeting; and
 - 11.6.2. be signed by the members requesting the meeting; and
 - 11.6.3. be sent to the address of the Secretary.
- 11.7. If the committee does not cause a special general meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than 3 months after that date.
- 11.8. If a special general meeting is convened by members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expenses.

12. Special business

All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, is deemed to be special business.

13. Notice of general meetings

- 13.1. The Secretary of the Association, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- 13.2. Notice may be sent:
 - 13.2.1. by prepaid post to the address appearing in the register of members; or
 - 13.2.2. if the member requests, by facsimile transmission or electronic transmission.
- 13.3. No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- 13.4. A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.

14. Quorum at general meetings

- 14.1. No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.

- 14.2. Twelve members personally present (being members entitled under these Rules to vote at a general meeting) and a quorum of the committee shall constitute a quorum for the conduct of the business of a general meeting.
- 14.3. If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present:
 - 14.3.1. in the case of a meeting convened upon the request of members-the meeting must be dissolved; and
 - 14.3.2. in any other case-the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.
- 14.4. If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than 3) shall be a quorum.

15. Presiding at general meetings

- 15.1. The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each general meeting of the Association.
- 15.2. If the President and the Vice-President are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.

16. Adjournment of meetings

- 16.1. The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- 16.2. No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- 16.3. If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 13.
- 16.4. Except as provided in sub-rule 16.3, it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

17. Voting at general meetings

- 17.1. At a general meeting of the Association, only the following classes of members shall be entitled to vote (provided they are paid up and full financial members at the time):
 - 17.1.1. individual member – one vote only;
 - 17.1.2. family member – two votes per family;
 - 17.1.3. family member who is also a boat owner member – three votes per family;
 - 17.1.4. individual member who is also a boat owner member – two votes;

- 17.1.5. boat dealer member – one vote only;
 - 17.1.6. life member who is also a boat owner member – two votes;
 - 17.1.7. life member without a boat – one vote.
- 17.2. All votes must be given personally or by proxy.
- 17.3. In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- 17.4. A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Association (including but not limited to entry fees and annual subscriptions) have been paid.

18. Poll at general meetings

- 18.1. If at a meeting a poll on any question is demanded by not less than 3 members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 18.2. A poll that is demanded on the election of a Chairperson or on a question of adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

19. Manner of determining whether resolution carried

If a question arising at a general meeting of the Association is determined on a show of hands:

- 19.1. A declaration by the Chairperson that a resolution has been:
- 19.1.1. carried; or
 - 19.1.2. carried unanimously; or
 - 19.1.3. carried by a particular majority; or
 - 19.1.4. lost; and
 - 19.1.5. an entry to that effect in the minute book of the Association
- is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

20. Proxies

- 20.1. Each member is entitled to appoint another member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- 20.2. The notice appointing the proxy must be:
- 20.2.1. for a meeting of the Association convened under sub-rule 8.7, in the form set out in Appendix 2; or
 - 20.2.2. in any other case, in the form set out in Appendix 3.

21. Committee of Management

- 21.1. The affairs of the Association shall be managed by the committee of management.
- 21.2. The committee:
 - 21.2.1. shall control the business and affairs of the Association; and
 - 21.2.2. may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Association; and
 - 21.2.3. subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the Association.
- 21.3. Subject to section 23 of the Act, the committee shall consist of:
 - 21.3.1. the officers of the Association; and
 - 21.3.2. six ordinary members.each of whom shall be elected in accordance with the provisions of Rules 25 and 26.

22. Office holders

- 22.1. The officers of the Association shall be:
 - 22.1.1. a President;
 - 22.1.2. a Vice-President;
 - 22.1.3. a Treasurer;
 - 22.1.4. a Secretary; and
 - 22.1.5. a Club Captain.

23. Duties of offices

- 23.1. The President will:
 - 23.1.1. generally supervise the activities of the Association; and
 - 23.1.2. present a resume of activities at annual general meeting; and
 - 23.1.3. have the deciding or casting vote in the event of an equality of votes.
- 23.2. The Vice-President will provide such assistance to the President as the President shall require.
- 23.3. The provisions of rule 26, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices referred to in sub-rule 22.1.
- 23.4. Each officer of the Association shall hold office until the second annual general meeting next after the date of his or her election but is eligible for re-election.
- 23.5. In the event of a casual vacancy in any office referred to in sub-rule 22.1, the committee may appoint one of its members to the vacant office and the member appointed may

continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.

24. Ordinary members of the committee

- 24.1. Subject to these Rules, each ordinary member of the committee shall hold office until the second annual general meeting next after the date of election but is eligible for re-election. In the event of a casual vacancy occurring in the office of an ordinary member of the committee the committee may appoint a member of the Association to fill the vacancy and the member appointed shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment.

25. Election of officers and ordinary committee members

- 25.1. In each alternate year the following offices and committee positions shall be vacated and nominations in accordance with Rule 26 shall be sought:
- 25.1.1. “year one”: Offices of Vice President, Secretary and 3 ordinary members of the committee,
 - 25.1.2. “year two”: Offices of President, and Treasurer, Club Captain and 3 ordinary members of the committee.

26. Procedure for Election of officers and ordinary committee members

- 26.1. Nominations of candidates for election as officers of the Association or as ordinary members of the committee must be:
- 26.1.1. on a nomination form; and
 - 26.1.2. delivered to the Secretary of the Association not less than fourteen days before the date fixed for the holding of the annual general meeting for the purpose of displaying the same on the Association notice board.
- 26.2. A candidate may:
- 26.2.1. only be nominated for one office, and/or as an ordinary member of the committee, prior to the annual general meeting but may only be elected as an officer or as an ordinary committee member, but not as both.
 - 26.2.2. must be a financial member who is entitled to vote at annual general meetings.
- 26.3. If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.
- 26.4. 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.
- 26.5. If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.

- 26.6. The ballot for the election of officers and ordinary members of the committee shall be in secret and a straight out count indicating a simple majority shall decide the election or non-election as the case may be of the nominated candidates.
- 26.7. The normal period of service shall be two years and until the office holder or committee member's duly elected successor takes office.
- 26.8.
 - 26.8.1. three ordinary members of the committee, the President and Secretary shall retire on the last Friday of July in year one and the Vice-President, Treasurer, Club-Captain and the other 3 ordinary members of the committee shall retire on the last Friday of July in year two
 - 26.8.2. in case of doubt as to which committee members are required to retire the question shall be determined by reference to the minutes of the preceding annual general meeting.

27. Vacancies

- 27.1. The office of an officer of the Association, or of an ordinary member of the committee, becomes vacant if the officer or member:
 - 27.1.1. ceases to be a member of the Association; or
 - 27.1.2. becomes an insolvent under administration within the meaning of the Corporations Act 2001; or
 - 27.1.3. resigns from office by notice in writing given to the Secretary;in which event the committee shall appoint a replacement to be effective until the next annual general meeting elections.

28. Meetings of the committee

- 28.1. The committee must meet at least twelve times in each year (and more often if necessary) at such place and such times as the committee may determine.

29. Notice of committee meetings

- 29.1. Written notice of each committee meeting must be given to each member of the committee at least 2 business days before the date of the meeting.

30. Quorum for committee meetings

- 30.1. Any six members of the committee (of which two shall be officers) constitute a quorum for the conduct of the business of a meeting of the committee.
- 30.2. No business may be conducted unless a quorum is present.
- 30.3. If within half an hour of the time appointed for the meeting a quorum is not present:
 - 30.3.1. in the case of a special meeting - the meeting lapses;

30.3.2. in any other case the meeting-the meeting shall stand adjourned to the same place and the same time and day in the following week.

30.4. The committee may act notwithstanding any vacancy on the committee.

31. Presiding at committee meetings

At meetings of the committee:

31.1. the President or, in the President's absence, the Vice-President presides; or

31.2. if the President and the Vice-President are absent, or are unable to preside, the members present must choose one of their number to preside.

32. Voting at committee meetings

32.1. Questions arising at a meeting of the committee, or at a meeting of any sub-committee appointed by the committee, shall be determined on a show of hands or, if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.

32.2. Each member present at a meeting of the committee, or at a meeting of any sub-committee appointed by the committee (including the person presiding at the meeting), is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

33. Removal of committee member

33.1. General grounds:

33.1.1. Non attendance at committee meetings;

33.1.1.1. all members of the committee are required to attend committee meetings and their attendance at such meeting shall be recorded by the secretary.

33.1.1.2. if a committee member misses two consecutive committee meetings that member shall cease to be a member unless the member provides in writing an explanation for the absences and such explanation is deemed to be satisfactory by the committee at the next committee meeting.

33.2. The Association in general meeting may, by resolution, remove any member or the committee before the expiration of the member's term of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned member.

33.3. A member who is the subject of a proposed resolution referred to in sub-rule 33.1 may make representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.

33.4. The Secretary or the President may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting.

34. Minutes of the meetings

The Secretary of the Association must keep minutes of the resolutions and proceedings of each general meeting, and each committee meeting, together with record of the names of persons present at committee meetings.

35. Funds

35.1. The Treasurer of the Association must:

35.1.1. collect and receive all moneys due to the Association and make all payments authorised by the Association; and

35.1.2. keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

35.1.3. furnish from time to time, when requested, vouchers and accounts properly drawn up;

35.1.4. at the annual general meeting produce an annual balance sheet and report;

35.2. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by the Treasurer and one other of the President, Vice President, Club Captain or Secretary.

35.3. The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and such other sources as the committee determines.

35.4. Any profit or surplus achieved by the Association shall be applied to the objects of the Association.

35.5. No profit or surplus is to be distributed amongst the members of the Association or any of them.

36. Seal

36.1. The common seal of the Association must be kept in the custody of the Secretary.

36.2. The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of two members of the committee or, of one member of the committee and of the public officer of the Association.

37. Notice to members

Except for the requirement in rule 13, any notice that is required to be given to a member, by on behalf of the Association, under these Rules may be given by:

- 37.1. delivering the notice to the member personally; or
- 37.2. sending it by prepaid post addressed to the member at that member's address shown in the register of members; or
- 37.3. facsimile transmission, if the member has requested that the notice be given to him or her in this manner; or
- 37.4. electronic transmission, if the member has requested that the notice be given to him or her in this manner.

38. Winding up

- 38.1. In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association must be disposed of in accordance with the provisions of the Act.
- 38.2. In the event of the Association being disbanded, or failing to function at any time, the remaining members may at a special general meeting called for that purpose decide to dispose of all property of the Association and devote the proceeds to such charity or charities as may be determined by such meeting.

39. Custody and inspection of books and records

- 39.1. Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Association.
- 39.2. All accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any member upon request.
- 39.3. A member may make a copy of any accounts, books, securities and any other relevant documents of the Association.

40. Powers of committee

In addition to any powers conferred on it by the Act the committee shall be empowered to:

- 40.1. borrow monies for and on behalf of the Association;
- 40.2. lease any land or plant and equipment on such conditions as the committee in its absolute discretion deems appropriate;
- 40.3. require members to pay annual subscriptions in advance if the committee deems such action necessary;
- 40.4. grant a licence to members of any other Association with similar objects and purposes as the Association to use the Association's facilities (including, but without limitation, use of the club house);
 - 40.4.1. make regulations relating to any matters concerning the affairs of the Association and for furthering the objects of the Association;
 - 40.4.2. no regulation shall be inconsistent with any of these rules and in the case of such inconsistency the provisions of these rules shall prevail;
- 40.5. to pay honorariums as rewards for services rendered.

APPENDIX 2

FORM OF APPOINTMENT OF PROXY FOR MEETING OF ASSOCIATION

CONVENED UNDER RULE 8.7

(DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS)

I _____ of _____
being a member of _____ appoint _____ of _____ being a
member of that incorporated Association, as my proxy to vote for me on my behalf at the appeal to the general
meeting of the Association convened under rule 8.7, to be held on _____ and at any adjournment of
that meeting.

I authorise my proxy to vote on my behalf at their discretion in respect of the following resolution (insert details
of resolution passed under rule 8.1).

.....
Signed
Date

APPENDIX 3

FORM OF APPOINTMENT OF PROXY
(ANNUAL/SPECIAL GENERAL MEETING)

I _____ of _____
being a member of _____ appoint _____ of _____ being
a member of that incorporated Association, as my proxy to vote for me on my behalf at the annual/special*
meeting of the Association to be held on _____ and at any adjournment of that meeting.

My proxy is authorised to vote in favour of/against* the resolution (insert details of the resolution).

.....

Signed
Date

*Delete if not applicable