

Greater Canberra Inc Rules

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Part 1 Preliminary

1 Definitions

In these rules:

Note A definition applies except so far as the contrary intention appears (see Legislation Act, s 155).

electronic meeting method means a method of communication or a combination of methods of communication, that allows a person taking part in a meeting to hear or otherwise know what each other person taking part says, without the persons being physically present at the meeting.

financial year means the year ending on 30 June.

member means a member, however described, of the association.

ordinary committee member means a member of the committee who is not an office-bearer of the association as mentioned in section 12 (1) (a).

place, in relation to a meeting:

(a) conducted partially via an electronic meeting method - refers to the physical location of the meeting and the details necessary to participate in the meeting via the electronic meeting method; or
(b) conducted fully via an electronic meeting method - refers to the details necessary to participate in the meeting via the electronic meeting method

secretary means the person holding office under these rules as secretary of the association or, if no such person holds that office, the public officer of the association.

the Act means the *Associations Incorporation Act 1991*.

the regulation means the *Associations Incorporation Regulation 1991*.

1A Application of Legislation Act 2001

The *Legislation Act 2001* applies to these rules in the same way as it would if they were an instrument made under the Act.

Part 2 Membership

2 Membership qualifications

A person is qualified to be a member if—

- (a) the person is a person mentioned in the Act, section 21 (2) (a) or (b) and has not ceased to be a member of the association at any time after incorporation of the association under the Act; or
- (b) the person—
 - (i) has applied for membership in accordance with section 3 (1); and
 - (ii) has been approved for membership of the association by the committee of the association.

3 Application for membership

(1) An application for membership of the association—

- (a) must be made by the person applying for membership in writing in the form determined by the Committee by resolution; and
 - (b) must be lodged with the secretary of the association.
- (2) As soon as is practicable after receiving an application for membership, the secretary must refer the nomination to the committee which must decide whether to approve or to reject the nomination.
- (3) If the committee decides to approve an application for membership, the secretary must as soon as practicable after that decision notify the applicant of the approval and request the applicant within 28 days after receipt of the notification the sum payable under these rules by a member as the membership fee.
- (4) The secretary must, on payment by the applicant of the amounts mentioned in subsection (3) within the period mentioned in that subsection, enter the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the association.

4 Membership entitlements not transferable

A right, privilege or obligation that a person has because of being a member of the association—

- (a) cannot be transferred or transmitted to another person; and
- (b) terminates on cessation of the person's membership.

5 Cessation of membership

A person ceases to be a member of the association if the person—

- (a) dies or, for a corporation, is wound up; or
- (b) resigns from membership of the association; or
- (c) is expelled from the association; or

(d) fails to renew membership of the association.

6 Resignation of membership

- (1) A member is not entitled to resign from membership of the association except in accordance with this section.
- (2) A member who has paid all amounts payable by the member to the association may resign from membership of the association by first giving notice (of not less than 1 month or, if the committee has determined, by resolution, a shorter period, that shorter period) in writing to the secretary of the member's intention to resign and, at the end of the period of notice, the member ceases to be a member.
- (3) If a person ceases to be a member, the secretary must make an appropriate entry in the register of members recording the date the member ceased to be a member.

7 Fee, subscriptions etc

- (1) The annual membership fee of the association is \$20 or, if any other amount has been determined by resolution of the committee, that other amount.
- (2) The annual membership fee is payable—
 - (a) except as provided by paragraph (b)—before 1 July in each calendar year; or
 - (b) if a person becomes a member on or after 1 July in any calendar year—before 1 July in each succeeding calendar year.
- (3) The committee may, by resolution, determine alternative annual membership fees, for specified classes of persons, that are lower than the membership fee set under subsection (1).
- (4) The committee may, by resolution, waive (wholly or in part) the membership fee payable by a person under subsection (1) for a specified period. The committee may not waive the fee of any person who is currently a member of the committee.

Note: The setting of alternative membership fees under subsection (3) or waiving of membership fees under subsection (4) must not constitute discrimination under the *Discrimination Act 1991* or any other applicable law.

8 Members' liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount (if any) unpaid by the member in relation to membership of the association as required by section 7.

9 Disciplining of members

- (1) If the committee is of the opinion that a member—
 - (a) has wilfully refused or neglected to comply with a provision of these rules; or

- (b) has wilfully acted in a manner prejudicial to the interests of the association;
 - the committee may, by resolution—
 - (c) refer the matter to a disputes officer appointed under subsection (2), requesting the expulsion of the member; or
 - (d) refer the matter to a disputes officer appointed under subsection (2), requesting the suspension of the member from the rights and privileges of membership of the association for a specified period.
- (2) If the committee proposes to discipline a member under paragraph 9(1)(c) or (d), the committee must appoint a disputes officer under this section.
- (a) The disputes officer must not be a member of the committee.
 - (b) The committee and the disputes officer must be satisfied that they are an unbiased decision maker in relation to the matter.
- (3) If the committee passes a resolution under subsection (1), the disputes officer appointed under subsection (2) must, as soon as practicable, serve a written notice on the member—
- (a) setting out the resolution of the committee and the grounds on which it is based; and
 - (b) stating that the member may address the disputes officer at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that the member may do either or both of the following:
 - (i) attend and speak at that meeting;
 - (ii) submit written representations relating to the resolution to the disputes officer, at or before the date of that meeting.
 - (e) One member of the committee may also attend and speak at the meeting and make written representations on behalf of the committee.
 - (f) The meeting must be held with the option of the member attending via an electronic meeting method.
- (4) Subject to the Act, section 50, at the meeting mentioned in subsection (2), the disputes officer must—
- (a) give to the member mentioned in subsection (1) an opportunity to make oral representations; and
 - (b) give to the committee representative mentioned in paragraph (3)(e) an opportunity to make oral representations; and
 - (c) give due consideration to any written representations submitted to the disputes officer by the member and the committee at or before the meeting; and

- (d) decide to either;
 - (i) suspend or expel the member in line with the committee's referral in paragraph (1)(c) or (1)(d) as applicable; or
 - (ii) reject the referral; or
 - (iii) suspend the member for a specified period. If the member was referred for suspension under paragraph 1(d), this suspension must be no longer than the specified suspension sought by the committee in the referral.
- (5) In making a decision under subsection (4), the disputes officer must:
 - (a) consider the oral statements, written representations, and any other matters the disputes officer believes relevant; and
 - (b) be satisfied that the decision is proportionate to the misconduct that the member has engaged in the with regards to the grounds for disciplining members under paragraphs (1)(a) and (1)(b);
 - (i) for the avoidance of doubt, if the disputes officer is not satisfied that the member has committed misconduct as referred to the officer, they must dismiss the referral under subparagraph (4)(d)(ii)
 - (c) be satisfied that the rules of natural justice have been complied with in the making of the decision as required by section 50 of the Act; and
 - (d) provide written reasons as to the matters under this subsection.
- (6) If the disputes officer makes a decision under subsection (4), the disputes officer must, within 7 days after that decision, by written notice inform the member and the committee of that decision and of the member's right of appeal under section 10.
 - (a) The disputes officer must provide their written reasons under paragraph 5(d) with this notice.
- (7) A decision under subsection (4) does not take effect—
 - (a) until the end of the period within which the member is entitled to appeal against the decision if the member does not exercise the right of appeal within that period; or
 - (b) if within that period the member exercises the right of appeal—unless and until the association confirms the resolution in accordance with section 10 (4).

10 Right of appeal of disciplined member

- (1) A member may appeal against a decision of the disputes officer made under section 9(4) within 7 days after notice of the decision is served on the member, by lodging with the secretary a notice to that effect.

- (2) On receipt of a notice under subsection (1), the secretary must notify the committee which must, by resolution, appoint a disputes panel consisting of three disputes officers, who must neither be committee members or the original dispute officer in this matter.
- (3) If the committee passes a resolution under subsection (2), the disputes panel appointed under subsection (2) must, as soon as practicable, serve a written notice on the member—
 - (a) setting out the original resolution of the committee made under subsection 9(1) in relation to the matter, and the grounds on which it is based; and
 - (b) stating that the member may address the disputes officers at a meeting to be held not earlier than 7 days and not later than 28 days after service of the notice; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that the member may do either or both of the following:
 - (i) attend and speak at that meeting;
 - (ii) submit written representations relating to the resolution to the disputes panel, at or before the date of that meeting.
 - (e) One member of the committee may also attend and speak at the meeting and make written representations on behalf of the committee.
 - (f) The meeting must be held with the option of the member attending via an electronic meeting method.
- (4) Subject to the Act, section 50, at the meeting mentioned in subsection (3) the disputes panel must—
 - (a) give to the member mentioned in subsection (1) an opportunity to make oral representations; and
 - (b) give to the committee representative mentioned in paragraph (3)(e) an opportunity to make oral representations; and
 - (c) give due consideration to any written representations submitted to the disputes panel by the member and the committee at or before the meeting; and
 - (d) decide (by resolution) to either:
 - (i) affirm the decision made by the original disputes officer under subsection 9(4); or
 - (ii) set aside and substitute the decision made by the original disputes officer under subsection 9(4) with a different decision that would be within the power of the original disputes officer under subsection 9(4).
- (5) In making a decision under subsection (4), the disputes panel must:
 - (a) Consider the oral statements, written representations, any written statements made to the original disputes officer under subsection 9(3), and other matters the disputes panel believes relevant; and

- (b) be satisfied that the decision is proportionate to the misconduct that the member has engaged in with regards to the grounds for disciplining members under paragraphs 9(1)(a) and 9(1)(b);
 - (i) for the avoidance of doubt, if the disputes panel is not satisfied that the member has committed misconduct as referred to the officer, they must set aside the original decision and instead dismiss the referral under subparagraph (4)(d)(ii);
 - (c) be satisfied that the rules of natural justice have been complied with in the making of the decision as required by section 50 of the Act.
 - (d) provide written reasons as to the matters under this subsection.
- (6) If the disputes panel makes a decision under subsection (4), the disputes panel must, within 7 days after that decision, by written notice inform the member and the committee of that decision.
- (a) The disputes panel must provide their written reasons under paragraph 5(d) with this notice.

Part 3 Committee

11 Powers of committee

The committee, subject to the Act, the regulation, these rules, and to any resolution passed by the association in general meeting—

- (a) controls and manages the affairs of the association; and
- (b) may exercise all functions that may be exercised by the association other than those functions that are required by these rules to be exercised by the association in general meeting; and
- (c) has power to perform all acts and do all things that appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

12 Constitution and membership

(1) The committee consists of—

- (a) the office-bearers of the association; and
- (b) 3 ordinary committee members;

each of whom must be elected under section 13 or appointed in accordance with subsection (4); and

(c) up to 2 additional ordinary committee members who may be co-opted by resolution of the committee.

(2) The office-bearers of the association are—

- (a) the convenor; and
- (b) the deputy-convenor; and
- (c) the treasurer; and
- (d) the secretary.

(3) Each member of the committee holds office, subject to these rules, until the conclusion of the annual general meeting following the date of the member's election or co-option, but is eligible for re-election.

(4) If there is a vacancy in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed holds office, subject to these rules, until the conclusion of the next annual general meeting after the date of the appointment.

13 Election of committee members

(1) An election for all committee positions (other than the additional ordinary committee member positions specified in paragraph 12(1)(c)) must be held at every AGM.

- (2) Prior to holding an election, the association must elect a returning officer to conduct the election.
 - (a) Returning officers are elected via voice vote, or if requested by a member, a show of hands of the meeting, with the returning officer being declared upon reaching a simple majority of those present and voting.
 - (i) Those attending the meeting electronically may declare their vote electronically (using text, voice, or another non-secret form of indicating their vote) in the case of a show of hands.
 - (b) In the event that no candidate receives a majority, the candidate with the least number of votes is eliminated from contention, and the process is immediately repeated until a candidate receives a majority.
- (3) Nominations for committee positions may be made :
 - (a) in writing to the secretary, prior to the meeting but after notice of the meeting has been circulated.
 - (b) at the meeting, verbally or in writing to the returning officer, prior to the election of the relevant position. The returning officer and convenor must present an opportunity for nominations at the beginning of each individual election. Nominations may not be made after substantive election proceedings (such as candidate speeches) for that position begin.
- (4) Elections are to be conducted by secret ballot, by instant runoff voting for single positions, and single transferable vote for multi-magnitude elections.
- (5) Each position election is to be handled independently and consecutively, in an order that the returning officer determines.
 - (a) The meeting may decide by motion carried in accordance with the standing orders to set a list, which the returning officer is bound to.
- (6) Members may proxy their votes to another member of the association for the purposes of an election, in accordance with section 30.
- (7) After ballots are cast, every candidate for the position may nominate a scrutineer to observe and ascertain the counting of the ballots, which is to be carried out by the returning officer in accordance with the method described in s 13 (4).
- (8) The results of the election must be immediately declared following the counting and prior to the beginning of the next election or other business.
 - (a) If a candidate or their scrutineer believes that irregularities have occurred in the electoral process, then the candidate (but not their scrutineer) may demand a recount, which is to be immediately carried out by a person that the returning officer nominates who is not a candidate, chairperson or scrutineer.
- (9) During the conduct of an election under subsection 13(4), the returning officer does not have a deliberative vote, but in the event of a tie that cannot be resolved using the voting method specified by subsection 13(4), has a casting vote.

14 Secretary

- (1) The secretary of the association must, as soon as practicable after being appointed as secretary, notify the association of his or her address.
- (2) The secretary must keep minutes of—
 - (a) all elections and appointments of office-bearers and ordinary committee members; and
 - (b) the names of members of the committee present at a committee meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting may be kept electronically. Certified copies of the minutes may be produced as necessary, and must be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.
- (4) The committee may, by resolution, appoint a member of the association to be acting secretary during a leave of absence or incapacity of the secretary.

15 Treasurer

- (1) The treasurer of the association must—
 - (a) collect and receive all amounts owing to the association and make all payments authorised by the association; and
 - (b) 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.
- (2) The committee may, by resolution, appoint a member of the Association to be acting treasurer during a leave of absence or incapacity of the treasurer.

16 Vacancies

For these rules, a vacancy in the office of a member of the committee happens if the member—

- (a) dies; or
- (b) ceases to be a member of the association; or
- (c) resigns the office; or
- (d) is removed from office under section 17 (Removal of committee members); or
- (e) suffers from mental or physical incapacity; or

- (f) is disqualified from office under the Act, section 63 or section 63B; or
- (g) is subject to a disqualification order under the Act, section 63A; or
- (h) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

17 Removal of committee members

The association in general meeting may by resolution, subject to the Act, section 50, remove any member of the committee from the office of member of the committee before the end of the member's term of office.

18 Committee meetings and quorum

- (1) The committee must meet at least 3 times in each calendar year at the place and time that the committee may decide.
- (2) Additional meetings of the committee may be called by any member of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subsection (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business may be transacted at the meeting, except business that the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business may be transacted by the committee unless a quorum is present and, if within half an hour after the time appointed for the meeting a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the same day in the following week, unless another time or place is designated by the chair or agreed on by the committee and communicated by written or oral notice to committee members.
- (7) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting is dissolved.
- (8) At meetings of the committee—
 - (a) the convenor or, in the absence of the convenor, the deputy-convenor presides; or
 - (b) if the convenor and the deputy-convenor are absent—1 of the remaining members of the committee may be chosen by the

members present to preside.

19 Delegation by committee to subcommittee

- (1) The committee may, in writing, delegate to 1 or more subcommittees (consisting of the member or members of the association that the committee considers appropriate) the exercise of the functions of the committee that are specified in the instrument, other than—
 - (a) this power of delegation; and
 - (b) a function that is a function imposed on the committee by the Act, by any other Territory law, or by resolution of the association in general meeting.
- (2) A function, the exercise of which has been delegated to a subcommittee under this section may, while the delegation remains unrevoked, be exercised from time to time by the subcommittee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to any conditions or limitations about the exercise of any function, or about time or circumstances, that may be specified in the instrument of delegation.
- (4) Despite any delegation under this section, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a subcommittee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, in writing, revoke wholly or in part any delegation under this section.
- (7) A subcommittee may meet and adjourn as it considers appropriate.

20 Voting and decisions

- (1) Questions arising at a meeting of the committee or of any subcommittee appointed by the committee are decided by a majority of the votes of members of the committee or subcommittee present at the meeting.
- (2) Each member present at a meeting of the committee or of any subcommittee appointed by the committee (including the person presiding at the meeting) is entitled to 1 vote but, if the votes on any question are equal, the person presiding may exercise a second or casting vote.

Part 4 General meetings

21 Annual general meetings—holding of

- (1) With the exception of the first annual general meeting of the association, the association must, at least once in each calendar year and within 5 months after the end of each financial year of the association, call an annual general meeting of its members.
- (2) The association must hold its first annual general meeting—
 - (a) within 18 months after its incorporation under the Act; and
 - (b) within 5 months after the end of the first financial year of the association.
- (3) Subsections (1) and (2) have effect subject to the powers of the registrar-general under the Act, section 120 in relation to extensions of time.

22 Annual general meetings—calling of and business at

- (1) The annual general meeting of the association must, subject to the Act, be called on the date and at the place and time that the committee considers appropriate.
- (2) In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting is—
 - (a) to confirm the minutes of the last annual general meeting and of any general meeting held since that meeting; and
 - (b) to receive from the committee reports on the activities of the association during the last financial year; and
 - (c) to elect members of the committee, including office-bearers, in accordance with section 13; and
 - (d) to receive and consider the statement of accounts and the reports that are required to be submitted to members under the Act, section 73 (1).
- (3) An annual general meeting must be specified as such in the notice calling it in accordance with section 24 (Notice).
- (4) An annual general meeting must be conducted in accordance with the provisions of this part.

23 General meetings—calling of

- (1) The committee may, whenever it considers appropriate, call a general meeting of the association.
- (2) The committee must, on the requisition in writing of not less than 15% of the total number of members, call a general meeting of the association.
- (3) A requisition of members for a general meeting—

- (a) must state the purpose or purposes of the meeting; and
 - (b) must be signed by the members making the requisition; and
 - (c) must be lodged with the secretary; and
 - (d) may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.
- (4) If the committee fails to call a general meeting within 1 month after the date when a requisition of members for the meeting is lodged with the secretary, any 1 or more of the members who made the requisition may call a general meeting to be held not later than 3 months after that date.
- (5) A general meeting called by a member or members mentioned in subsection (4) must be called as nearly as is practicable in the same way as general meetings are called by the committee and any member who thereby incurs expense is entitled to be reimbursed by the association for any reasonable expense so incurred.

24 Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, send by email to each member at the member's email address appearing in the register of members, a notice specifying the place, date and time of the meeting, and the nature of the business proposed to be transacted at the meeting, and instructions for how to participate remotely under subsection 25(5).
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, send notice to each member in the way provided in subsection (1) specifying, in addition to the matter required under that subsection, the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice calling a general meeting may be transacted at the meeting except, for an annual general meeting, business that may be transacted under section 22 (2).
- (4) A member desiring to bring any business before a general meeting may give written notice of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

25 General meetings—procedure and quorum

- (1) No item of business may be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

- (2) Ten members present in person (who are entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within 30 minutes after the appointed time for the start of a general meeting a quorum is not present, the meeting if called on the requisition of members is dissolved and in any other case stands adjourned to the same day in the following week at the same time and (unless another time (within 14 days of the original date of the meeting) or place is designated by the committee and communicated by written notice to members before the day of the meeting).
- (4) If at the adjourned meeting a quorum is not present within 30 minutes after the time appointed for the start of the meeting, the members present (being not less than 3) constitute a quorum.
- (5) The meeting must be held with the option of members attending via an electronic meeting method.

26 Presiding member

- (1) The convenor, or in the absence of the convenor, the deputy-convenor presides at each general meeting of the association.
- (2) If the convenor and the deputy-convenor are absent from a general meeting, the members present must elect 1 of their number to preside at the meeting.
- (3) During a general election conducted under section 13, the returning officer presides over the meeting.

27 Adjournment

- (1) The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subsections (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

28 Making of decisions

- (1) A question arising at a general meeting of the association is to be decided on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an

entry to that effect in the minutes of the meeting, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

- (2) At a general meeting of the association, a poll may be demanded by the person presiding or by not less than 3 members present in person or by proxy at the meeting.
- (3) If the poll is demanded at a general meeting, the poll must be taken—
 - (a) immediately if the poll relates to the election of the person to preside at the meeting or to the question of an adjournment; or
 - (b) in any other case—in the way and at the time before the close of the meeting that the person presiding directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.
- (4) For the avoidance of doubt, this does not apply to elections under section 13, which are instead governed under that section.

29 Voting

- (1) Subject to subsection (3), on any question arising at a general meeting of the association a member has 1 vote only.
- (2) If the votes on a question other than an election under subsection 13(4) at a general meeting are equal, the person presiding is entitled to exercise a second or casting vote.
- (3) A member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid, other than the amount of the annual subscription payable for the then current year.

30 Appointment of proxies

- (1) Each member is entitled to appoint another member as proxy by notice given to the secretary, before the time specified by the secretary in the notice to the meeting (which must be no more than 24 hours before the time of the meeting for which the proxy is appointed).
- (2) The notice appointing the proxy must be submitted in a form that the committee, by resolution, determines.
- (3) No member may hold more than 5 proxies.
- (4) A proxy lapses immediately upon the member attending the meeting in person, or upon the member making it known to the secretary prior to the meeting, or the chair during the meeting, that the proxy has been withdrawn.

Part 5 Miscellaneous

31 Funds—source

- (1) The funds of the association must be derived from membership fees, donations and, subject to any resolution passed by the association in general meeting and subject to the Act, section 114, any other sources that the committee decides.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (3) The association must, after receiving any money, issue an appropriate receipt on request.

32 Funds—management

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association must be used for the objects of the association in the way that the committee decides.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the association, being members of the committee or employees authorised to do so by the committee.

33 Alteration of objects and rules

Neither the objects of the association mentioned in the Act, section 29 nor these rules may be altered except in accordance with the Act.

34 Common seal

- (1) The committee may, by resolution, adopt a common seal.
- (2) The common seal of the association must be kept in the custody of the secretary.
- (3) The common seal must not be attached to any instrument except by the authority of the committee and the attaching of the common seal must be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the secretary.

35 Custody of books

Subject to the Act, the regulation and these rules, the secretary must keep in his or her custody or under his or her control all records, books, and other documents relating to the association. The records, books and other documents of the association may, to the extent permitted by law, be maintained in electronic form.

36 Access to documents

- (1) On the request of a member, the secretary must give the member:

- or
- (a) a copy of a current statement of the objects of the association;
- (b) a copy of the rules of the association currently in force; or
- (c) a copy of the deeds of any trust relevant to the association; or
- (d) a summary of the minutes of a meeting of the committee.

(2) The committee may, by resolution, refuse to grant access to a document or part of a document under subsection (1) on the basis that the release would be prejudicial to the interests of the association.

(3) Access to documents under subsection (1) is to be given in electronic form.

37 Service of notice

For these rules, the association may serve a notice on a member by sending it by email to the member to the member's email address shown in the register of members.

38 Surplus property

(1) At the first general meeting of the association, the association must pass a special resolution nominating—

- (a) another association for the Act, section 92 (1) (a); or
- (b) a fund, authority or institution for the Act, section 92 (1) (b); in which it is to vest its surplus property in the event of the dissolution or winding up of the association.

(2) An association nominated under subsection (1) (a) must fulfil the requirements specified in the Act, section 92 (2).

39 Use of communications technology to facilitate meetings

(1) Any meeting conducted in accordance with these rules may be conducted either fully or partially by use of an electronic meeting method.

(2) A person who takes part in a meeting via an electronic meeting method is taken, for all purposes, to be present at the meeting.