



Bonogin Valley Bulls Cricket Club
Incorporated

CONSTITUTION

November 2017

TABLE OF CONTENTS

1 WORDS AND EXPRESSIONS TO HAVE MEANING IN ACT	3
2 NAME.....	3
3 INTERPRETATION.....	3
4 COLOURS.....	3
5 OBJECTS	3
6 POWERS	4
7 CLASS OF MEMBERSHIP	4
8 MEMBERSHIP	5
9 MEMBERSHIP FEES	7
10 ADMISSION AND REJECTION OF MEMBERS	7
11 WHEN MEMBERSHIP ENDS	8
12 APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP	8
13 REGISTER OF MEMBERS	8
14 SECRETARY	9
15 MEMBERSHIP OF MANAGEMENT COMMITTEE.....	9
16 ELECTING THE MANAGEMENT COMMITTEE.....	9
17 RESIGNATION OR REMOVAL FROM OFFICE OF MANAGEMENT COMMITTEE MEMBER	10
18 VACANCIES ON MANAGEMENT COMMITTEE	10
19 FUNCTIONS OF MANAGEMENT COMMITTEE	10
20 MEETINGS OF THE MANAGEMENT COMMITTEE	11
21 ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS.....	12
22 RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING	12
23 FIRST GENERAL MEETING	13
24 FIRST ANNUAL GENERAL MEETING.....	13
25 SUBSEQUENT ANNUAL GENERAL MEETING	13
26 BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING.....	13
27 SPECIAL GENERAL MEETING	13
28 NOTICE OF GENERAL MEETING.....	14
29 QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING.....	14
30 PROCEDURE AT GENERAL MEETING	15
31 BY-LAWS.....	16
32 ALTERATION OF RULES.....	17
33 COMMON SEAL.....	17
34 FUNDS AND ACCOUNTS	17
35 DOCUMENTS	18
36 FINANCIAL YEAR	18
37 DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY.....	18
38 ESTABLISHMENT AND OPERATION OF GIFT FUND	19

1 WORDS AND EXPRESSIONS TO HAVE MEANING IN ACT

- 1.1 A word of expression that is not defined in these Rules, but is defined in the Associations Incorporation Act 1981 has, if the context permits, the meaning given by the Act.

2 NAME

- 2.1 The name of the incorporated association is Bonogin Valley Bulls Cricket Club Inc. (“the association”).

3 INTERPRETATION

- 1.1 In this Constitution , unless the context otherwise requires:
- 1.1.1 The Association shall mean **the Bonogin Valley Bulls Cricket Club**.
 - 1.1.2 The Members shall mean those who are granted membership pursuant to rule 10.
 - 1.1.3 The Committee shall mean those who are elected to the General Committee pursuant to rule 16.
 - 1.1.4 A.G.M. shall mean the Annual General Meeting pursuant to rule 25.
 - 1.1.5 Special General Meeting shall mean a meeting convened pursuant to rule 27.
 - 1.1.6 Committee Meeting shall mean a meeting convened pursuant to rule 20.

4 COLOURS

- 4.1 The Club Colours shall be a mixture of White, Green and Gold.

5 OBJECTS

The objects of the association are:

- 5.1 To be a community focused club that encourages, promotes and fosters all versions of the game of cricket for female and male players of all ages;
- 5.2 To encourage and promote the game of cricket;
- 5.3 To encourage all members and players representing the club to conduct themselves with integrity and good sportsmanship which honours the spirit of the game;
- 5.4 To develop personal and cricket relationships with other clubs;
- 5.5 To raise funds required as necessary for the development of the club and the game of cricket, and invest such money for the objectives of the club;

- 5.6 To develop and/ or build any facilities, buildings and or other structure that promotes the objectives of the club, the community and the game of cricket;
- 5.7 To associate, cooperate and affiliate with anybody organising or promoting cricket for males or females or children (including but not limited to, e.g. Queensland Cricket, Gold Coast Cricket Association, Milo cricket) and, if appropriate, to discontinue or renew such affiliations; and
- 5.8 Provide a sense of community spirit and cooperation in the broader community.

6 POWERS

The Association has the following powers:

- 6.1 To administer the powers contained in the Associations Incorporation Act;
- 6.2 The Committee shall be entitled to exercise the full powers of the Association, and without limiting those powers shall have the management and control of the funds and other property of the Association, provided that the Association must obtain the approval of a General Meeting before borrowing money or securing any payment by charging the property of the Association;
- 6.3 To acquire, hold, deal with and dispose of any real or personal property in pursuit of the objects of the Association;
- 6.4 To invest its money in cash accounts or cash term deposits with any major Australian trading bank;
- 6.5 To charge its members annual subscription fees;
- 6.6 To charge members and others fees for goods or services provided by the Association;
- 6.7 To raise funds for the Association by public or private subscriptions, social events, entertainments, sponsorship and otherwise;
- 6.8 To build, construct, maintain, alter and repair any facilities and/or building or other structure of any kinds and to furnish, equip and improve the same for use by the Association and the community;
- 6.9 To print and publish any information by any media in the promotion of the Association;
- 6.10 To organise social events for members and the community and generally for the promotion of the Association and/ or cricket;
- 6.11 To enter into any contract or arrangement that the Association considers necessary or desirable in the pursuit of the objects of the Association;
- 6.12 To do all things necessary which are incidental to and necessary for the attainment of the objects of the Association.

7 CLASS OF MEMBERSHIP

- 7.1 The membership of the association must consist of ordinary members, and any of the following classes of members:
 - 7.1.1 Ordinary members;
 - 7.1.2 Junior Members (under 18 years of ages as at 1 January of the current year)
 - 7.1.3 Social Members;

- 7.1.4** Life members;
 - 7.1.5** Foundation Member and
 - 7.1.6** Honorary Member.
- 7.2** The number of ordinary members and all other classes of membership shall be unlimited.
- 7.3** Ordinary members shall comprise all persons who have paid the membership fees prescribed in section 9.
- 7.4** A list of members in each category shall be maintained by the Treasurer or Secretary of the club.

8 MEMBERSHIP

- 8.1** A person who, on the day the association is incorporated, was a member of the unincorporated association and who, on or before a day fixed by the management committee, agrees in writing to become a member of the incorporated association, must be admitted by the management committee to the same class of membership of the association as the member held in the unincorporated association.
- 8.2** A member of the incorporated association who, before becoming a member, has paid the member's annual subscription for membership of the unincorporated association on or before a day fixed by the management committee, is not liable to pay a further amount of annual subscription for the period before the day fixed by the management committee as the day on which the next annual subscription is payable.
- 8.3** Membership is open to all persons interested in cricket.
- 8.4** An application for membership must be:
 - 8.4.1** in writing; and
 - 8.4.2** signed by the applicant;
 - 8.4.3** in the form decided by the management committee;
- 8.5** The management committee must consider an application for membership at the next committee help once the conditions of 8.4 have been met.
- 8.6** The conditions of membership shall be outlined in the Association's documented information;
- 8.7** Such persons are considered to be members of the Association who have been approved and who pay all the membership fees as set by the committee annually and shall entitle the person(s) to the rights and privileges of the Association, whereas any person(s) who has not paid an annual subscription will not have membership classifications and/or privileges;
- 8.8** No member will be permitted to participate in any game of cricket organised by the Association until a current disclaimer/ indemnity document, approved by the Committee has been signed. For Children (Under 18 years of age) the disclaimer/ indemnity document must be signed by the player's parent/s and/ or guardian;
- 8.9** Junior membership of the Association shall be open to all residents of the Gold Coast and surrounding districts who are under the age of 18 years. The number of junior members of the Association shall be unlimited. Junior members shall not be entitled to vote.
- 8.10** The Association may, at its discretion elect each year an ordinary member(s) who has/ have made an outstanding contribution for appointment as a life member provided that:

- 8.10.1** The person so selected shall be one that has rendered long and conspicuous service to the Association in an active or administrative capacity;
- 8.10.2** Every proposal for life members shall be submitted to the committee who shall, they approve the proposal, nominate the person concerned to the Annual General Meeting of ordinary members of the Association at which time the nomination will be approved provided a three-quarter majority of members present and voting are in agreement with the nomination;
- 8.10.3** A life member shall receive a life membership badge and shall be entitled to the rights and privileges of the Association for life without payment of any subscription or fee and shall be entitle to attend and vote at all general meeting of the Association;
- 8.10.4** The number of life members of the Association shall be unlimited.
- 8.11** The Association, at its discretion, will elect person(s) for the appointment of Foundation member(s) provided that:
 - 8.11.1** The person(s) so selected to become Foundation Member(s) of the association, must meet the members requirements of rule 8.7 annually and consecutively until such time that the Association has 100 registered active members;
 - 8.11.2** Upon the Association consisting of no less than 100 registered active members a Special General Meeting is to be called by the association Secretary in accordance rule 27 whereupon the first eleven ordinary or social member(s) of the association, determined by the register of members(refer to rule 13), will become the 'First XI Foundation Members';
 - 8.11.3** There can only ever be eleven foundation members; These eleven foundation members will remain the same for the duration of the association never to be replaced
 - 8.11.4** A foundation member shall receive a foundation members first IX 'baggy green' that will be numbered any number from 1 – 11, at the discretion of the management committee; An individual 'formal' portrait is to be taken of each foundation member and hung prominently at the home of the association, paid for and arranged by the management committee.
 - 8.11.5** Foundation members shall be entitled to the rights and privileges of the association for life without payment of any subscription or fee and shall be entitled to attend and vote at all general meetings of the association.
- 8.12** The Association may, at its discretion, elect each year a person(s) for appointment as an honorary member provided that:
 - 8.12.1** The person so selected shall be one who has rendered special or meritorious service to the Association in an active, administrative or financial capacity or whose contribution to the Association is considered by the committee to warrant recognition.
 - 8.12.2** Every proposal for honorary membership shall be submitted to the committee who shall, if they approve the proposal, nominate the person concerned to the annual general meeting of ordinary members of the Association at which time the nomination will be approved provided a two-thirds majority of members present and voting are in agreement with the nomination.

- 8.12.3** An honorary member shall be entitled to the rights and privileges of the Association for the financial year in which he is approved without payment of any subscription or fee but shall not be entitled to vote at a general meeting of the Association.
- 8.12.4** The number of honorary members of the Association shall be unlimited.

9 MEMBERSHIP FEES

- 9.1** The Membership fees shall be determined by the Management Committee on an annual basis.
- 9.2** Any financial member of any class of membership shall have the right to be part of the committee and/ or to be an office bearer of the Association.
- 9.3** There shall be no limit to the number of members in each class of membership unless there is a stadium capacity in place due to the size of the ground.
- 9.4** Financial members must be given preference over non-financial members in team selection;
- 9.5** Members shall be declared non-financial if he or she fails to pay the subscription before a date determined and published by the Management Committee;
- 9.6** At the discretion of the President, non-financial members may be ineligible for:
- 9.6.1** Selection;
 - 9.6.2** Receipt of trophies or transfer to another Association.

10 ADMISSION AND REJECTION OF MEMBERS

- 10.1** The management committee must consider an application for membership at the next meeting of the committee held after it receives;
- 10.1.1** the application; and
 - 10.1.2** the appropriate membership fee for the application.
- 10.2** The management committee must ensure that, as soon as possible after the person applies to become a member of the Association, and before the management committee considers the persons application, the person is advised:
- 10.2.1** whether or not the association has public liability insurance; and
 - 10.2.2** if the association has public liability insurance – the amount of insurance.
- 10.3** The management committee must decide at the meeting whether to accept or reject the application;
- 10.4** If a majority of the management committee members present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member to the class of membership applied for.
- 10.5** The secretary of the Association must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision.

11 WHEN MEMBERSHIP ENDS

- 11.1** A member may resign from the association by giving a written notice of resignation to the secretary.
- 11.2** The resignation takes effect on :
 - 11.2.1** the day and at the time the notice is received by the secretary;
 - 11.2.2** if a later day is stated in the notice - the later day.
- 11.3** The management committee may terminate a member's membership if the member
 - 11.3.1** is convicted of an indictable offence; or
 - 11.3.2** does not comply with any of the provisions of these rules; or
 - 11.3.3** has membership fees in arrears for at least 2 months; or
 - 11.3.4** conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association.
- 11.4** Before the management committee terminates a member's membership, the management committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- 11.5** If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of committee must give the member a written notice of the decision.

12 APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- 12.1** A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the person's intent to appeal against the decision;
- 12.2** A notice of intention to appeal must be given to the secretary within 1 month after the person receives written notice of the decision.

13 REGISTER OF MEMBERS

- 13.1** The management committee must keep a register of members;
- 13.2** The register of members must include the following particulars for each member:
 - 13.2.1** the full name and residential address of the member;
 - 13.2.2** the date of admission as a member
 - 13.2.3** the date of resignation/ death of the member; and any other particulars the management committee or the members at a general meeting decide.
- 13.3** The register must be open for inspection at all reasonable times;
- 13.4** However, before the member may inspect the register, the member must apply to the secretary to inspect it;
- 13.5** The secretary will ensure that any information of a confidential nature is not accessible

14 SECRETARY

- 14.1** If the association has not elected an interim officer as secretary for the association before its incorporation, the members of the management committee must ensure a secretary is appointed or elected for the association within 1 month after incorporation.
- 14.2** If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the association within 1 month after the vacancy happens.
- 14.3** The secretary must be an individual residing in Queensland, or in another State but not more than 65 km from the Queensland border, who is:
 - 14.3.1** a member of the association elected by the association as secretary; or
 - 14.3.2** any of the following persons appointed by the management committee;
 - 14.3.2.1** a member of the association's management committee;
 - 14.3.2.2** a member of the association;
 - 14.3.2.3** another person,
- 14.4** The management committee may appoint and remove the association's secretary at any time.

15 MEMBERSHIP OF MANAGEMENT COMMITTEE

- 15.1** The management committee of the association consists of a president, vice-president, treasurer, secretary and any other members the association members elect or appoint at a general meeting;
- 15.2** A member of the management committee, other than the secretary, must be a member of the association;
- 15.3** At each annual general meeting of the association, the members of the management committee must retire from office, but are eligible, on nomination, for re-election.

16 ELECTING THE MANAGEMENT COMMITTEE

- 16.1** A member of the management committee may only be elected as follows –
 - 16.1.1** any 2 members of the association may nominate another member (the "candidate") to serve as a member of the management committee;
 - 16.1.2** the nomination must be:
 - 16.1.2.1** in writing; and
 - 16.1.2.2** signed by the candidate and the members who nominated him or her; and
 - 16.1.2.3** posted to the registered postal address of the Bonogin Valley Bulls Cricket Association and received at least 14 days before the annual general meeting at which the election is to be held; and
 - 16.1.2.4** signed by the secretary as received prior to the 14-day period.
 - 16.1.3** each member present at the annual general meeting may vote for any number of candidates not more than the number of vacancies;

- 16.1.4** if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- 16.2** Candidates' names must be posted in a conspicuous place in the Association or usual place of meeting of the association as soon as practicable after their valid nomination forms are received by the association. All candidates' names must be posted at least 7 days immediately preceding the annual general meeting in alphabetical order, with the names of the members who nominated each candidate.
- 16.3** If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

17 RESIGNATION OR REMOVAL FROM OFFICE OF MANAGEMENT COMMITTEE MEMBER

- 17.1** A management committee member may resign from the committee by giving written notice of resignation to the secretary.
- 17.2** The resignation takes effect on:
 - 17.2.1** the day and at the time the notice is received by the secretary; or
 - 17.2.2** if a later day is stated in the notice - the later day.
- 17.2.3** A member may be removed from office at a general meeting of the association if a majority of the members present at the meeting vote in favour of removing the member.
- 17.2.4** Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- 17.2.5** A member has no right of appeal against the member's removal from office under this section.

18 VACANCIES ON MANAGEMENT COMMITTEE

- 18.1** If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the association to fill the vacancy until the next annual general meeting.
- 18.2** The continuing members of the management committee may act despite a casual vacancy on the management committee.
- 18.3** However, if the number of committee members is less than the number fixed under these rules as a quorum of the management committee the continuing members may act only to:
 - 18.3.1** increase the number of management committee members to the number required for a quorum; or
 - 18.3.2** call a general meeting of the association.

19 FUNCTIONS OF MANAGEMENT COMMITTEE

- 19.1** Subject to these rules or a resolution of the association members carried at a general meeting, the management committee –
- 19.1.1** has the general control and management of the administration of the affairs, property and funds of the association; and
 - 19.1.2** has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent.
- 19.2** The management committee may exercise the power of the association-
- 19.2.1** to borrow, raise or secure the payment of amounts in a way the association members decide; and
 - 19.2.2** to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the association's property, both present and future; and
 - 19.2.3** to purchase, redeem or pay off any securities issued; and
 - 19.2.4** to borrow amounts from members and pay interest on the amounts borrowed; and
 - 19.2.5** to mortgage or charge the whole or part of its property; and
 - 19.2.6** to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association; and
 - 19.2.7** to provide and pay off any securities issued; and
 - 19.2.8** to invest in a way the members of the association may from time to time decide.
- 19.3** For sub-section **19.2.4** that rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by –
- 19.3.1** the financial institution of the association; or
 - 19.3.2** if there is more than 1 financial institution for the association – the financial institution nominated by the association.

20 MEETINGS OF THE MANAGEMENT COMMITTEE

- 20.1** Subject to subsections (20.2) to (20.16), the management committee may meet and conduct its proceedings as it considers appropriate.
- 20.2** The management committee must meet at least once every 4 months to exercise its functions.
- 20.3** The committee must decide how a meeting is to be called.
- 20.4** Notice of a meeting is to be given in the way decided by the committee.
- 20.5** If the secretary receives a written request signed by at least 33% of the management committee members, the secretary must call a special meeting of the committee.
- 20.6** A request for a special meeting must state-
- 20.6.1** why the special meeting is being called; and
 - 20.6.2** the business to be conducted at the meeting.
- 20.7** At every meeting of the management committee, a simple majority being at least three of the members of the current Management Committee shall constitute a quorum.

- 20.8** A question arising at a committee meeting is to be decided by a majority vote of committee members present at the meeting and, if the votes are equal, the question is decided in the negative.
- 20.9** A management committee member must not vote on a question about a contract or proposed contract with the association if the member has an interest in the contract or proposed contract and if the member does vote the member's vote must not be counted.
- 20.10** The secretary must give each management committee member at least 14 days notice of a special meeting of the committee.
- 20.11** A notice of a special meeting must state –
- 20.11.1** the day, time and place of the meeting; and
 - 20.11.2** the business to be conducted at the meeting.
- 20.12** The president or, if there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, the vice-president is to preside as chairperson at the meeting.
- 20.13** If the president and the vice-president are absent from a management committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.
- 20.14** If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called on the request of committee members, the meeting lapses.
- 20.15** If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called other than on the request of committee members, the meeting is to be adjourned to –
- 20.15.1** the same day, time and place in the next week; or
 - 20.15.2** a day, time and place decided by the committee.
- 20.16** If, at the adjourned meeting mentioned in subsection (15), a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.

21 ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

- 21.1** An act performed by the management committee, a subcommittee or a person acting as a member of the management committee is taken to have been validly performed.
- 21.2** Subsection (21.1) applies even if the act was performed when-
- 21.2.1** there was a defect in the appointment of a member of the management committee, subcommittee or person acting as a member of the management committee; or
 - 21.2.2** a management committee member, subcommittee member or person acting as a member of the management committee was disqualified from being a member.

22 RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING

- 22.1** A written resolution signed by each member of the management committee for the time being entitled to receive notice of a committee meeting is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.
- 22.2** A resolution mentioned in subsection (22.1) may consist of several documents in like form, each signed by 1 or more members of the committee.

23 FIRST GENERAL MEETING

- 23.1** The first general meeting must be held not less than 1 month, and not more than 3 months, after the day the association is incorporated.
- 23.2** The management committee must decide where the meeting is to be held.

24 FIRST ANNUAL GENERAL MEETING

- 24.1** The first annual general meeting must be held within 18 months after the day the association is incorporated.

25 SUBSEQUENT ANNUAL GENERAL MEETING

- 25.1** Each subsequent annual general meeting must be held:
 - 25.1.1** at least once each year; and
 - 25.1.2** within 6 months after the end of the association's previous financial year.

26 BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING

- 26.1** The following business must be conducted at every annual general meeting -
 - 26.1.1** receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the association for the last financial year;
 - 26.1.2** receiving the auditor's report on the financial affairs of the association for the last financial year;
 - 26.1.3** presenting the audited statement to the meeting for adoption;
 - 26.1.4** electing members of the management committee;
 - 26.1.5** appointing an auditor.

27 SPECIAL GENERAL MEETING

- 27.1** The secretary may only call a special general meeting by giving each member notice of the meeting within 14 days after:
 - 27.1.1** being directed to call the meeting by the management committee; or
 - 27.1.2** being given a written request signed by-requisition in writing signed by –
 - 27.1.2.1** at least 33% of the members of the association presently on the management committee; or
 - 27.1.2.2** at least the number of ordinary members of the association equal to double the number of members of the association presently on the management committee plus 1; or

- 27.1.3 being given a written notice of intention to appeal against the decision of the management committee-
 - 27.1.3.1 to reject an application for membership; or
 - 27.1.3.2 to terminate a persons membership.
- 27.2 A request mentioned in subsection (27.1.1) must state -
 - 27.2.1 why the special general meeting is being called; and
 - 27.2.2 the business to be conducted at the meeting.

28 NOTICE OF GENERAL MEETING

- 28.1 The secretary may call a general meeting of the association.
- 28.2 The secretary must give at least 14 days notice of the meeting to each association member.
- 28.3 The management committee may decide the way in which the notice must be given.
- 28.4 However, notice of the following meetings must be given in writing;-
 - 28.4.1 a meeting called to hear and decide the appeal of a member against the rejection or termination of the members membership by the management committee; or
 - 28.4.2 a meeting called to hear and decide a proposed special resolution of the association.
- 28.5 A notice of a general meeting must state the business to be conducted at the meeting.

29 QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING

- 29.1 Subject to subsection (29.5), at a general meeting the number of members equal to double the number of members of the association presently on the management committee plus 1 form a quorum.
- 29.2 No business may be conducted at a general meeting unless a quorum of members is present when the meeting proceeds to business.
- 29.3 If a quorum is not present within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the association, the meeting lapses.
- 29.4 If a quorum is not present within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the association, the meeting is to be adjourned to -
 - 29.4.1 the same day, time and place in the next week; or
 - 29.4.2 a day, time and place decided by the management committee.
- 29.5 If at an adjourned meeting, a quorum under subsection (29.1) is not present within 30 minutes after the time fixed for the meeting, the members present form a quorum.
- 29.6 The chairperson may, with the consent of any meeting at which a quorum is present, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- 29.7 If a meeting is adjourned under subsection (29.6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

- 29.8** The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- 29.9** If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.
- 29.10** In this rule -
"member" includes a person attending as a proxy or as representing a corporation that is a member.

30 PROCEDURE AT GENERAL MEETING

- 30.1** Subject to these rules, at each general meeting:
- 30.1.1** the president, or if there is no president or if the president is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the vice-president is to preside as chairperson; and
 - 30.1.2** if the vice-president is absent or unwilling to act as chairperson, the members present must elect 1 of their number to be chairperson of the meeting; and
 - 30.1.3** the chairperson must conduct the meeting in a proper and orderly way; and
 - 30.1.4** each question, matter or resolution must be decided by a majority of votes of the members present; and
 - 30.1.5** each member present and entitled to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote; and
 - 30.1.6** a member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting; and
 - 30.1.7** voting may be by show of hands or a division of members, unless at least 20% of the members present demand a secret ballot; and
 - 30.1.8** if a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides; and
 - 30.1.9** the result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held; and
 - 30.1.10** a member may vote in person or by proxy or by attorney and –
 - 30.1.10.1** on a show of hands, each person present who is a member or a representative of a member has 1 vote; and
 - 30.1.10.2** in a secret ballot, each member present in person or by proxy or by attorney or other properly authorised representative has 1 vote; and
 - 30.1.11** an instrument appointing a proxy must be in writing; and
 - 30.1.11.1** if the appointor is an individual – signed by the appointor or the appointor's attorney properly authorised in writing; or
 - 30.1.11.2** if the appointor is a corporation – either under seal or signed by a properly authorised officer or attorney of the corporation; and
 - 30.1.12** proxy may be a member of the association or another person; and
 - 30.1.13** the instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot; and

30.1.14 if someone wants to give a member an opportunity to vote for or against a resolution, the instrument appointing a proxy must be in the following form or like form –

Bonogin Valley Bulls Cricket Club Inc.

I, _____ of _____ being a member of the above mentioned association appoint _____ of _____, as my proxy to vote for me on my behalf at the (annual) general meeting of the association, to be held on the _____ day of _____ 20 ____.

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 the proxy considers appropriate

of the meeting or adjourned meeting at which the person named in the instrument proposes to vote; and

30.1.16 the secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting and general meeting are entered in a minute book; and

30.1.17 the secretary must ensure the minute book for each general meeting is open for inspection at all reasonable times by any financial member who previously applies to the secretary for the inspection.

30.2 To ensure the accuracy of the minutes recorded under subsection (30.1.16)

30.2.1 the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy; and.

30.2.2 the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and

30.2.3 the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.

31 BY-LAWS

31.1 The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.

31.2 A by-law may be set aside by a vote of members at a general meeting of the association.

32 ALTERATION OF RULES

32.1 Subject to the Associations Incorporation Act 1981, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.

32.2 However an amendment, repeal or addition is valid only if it is registered by the chief executive.

32.3 The association must notify the Commissioner of Taxation of the amendment.

33 COMMON SEAL

33.1 The management committee must ensure the association has a common seal.

33.2 The common seal must be-

33.2.1 Kept securely by the management committee; and

33.2.2 Used only under the authority of the management committee.

33.3 Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by-

33.3.1 the secretary; or

33.3.2 another member of the management committee; or

33.3.3 someone appointed by the management committee.

34 FUNDS AND ACCOUNTS

34.1 The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.

34.2 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.

34.3 All amounts must be deposited in the financial institution account as soon as practicable after receipt.

34.4 If an amount of \$100 or more is paid by cheque, the cheque must be signed by any 2 of the following -

34.4.1 the president;

34.4.2 the secretary;

34.4.3 the treasurer;

34.4.4 another member authorised by the management committee for the purpose.

34.5 Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed "not negotiable".

34.6 A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.

34.7 All expenditure must be approved or ratified at a management committee meeting.

- 34.8** The treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared -
- 34.8.1** the income and expenditure for the financial year just ended;
 - 34.8.2** the association's assets and liabilities at the close of the year;
 - 34.8.3** the mortgages, charges and securities affecting the property of the association at the close of the year.
- 34.9** If the association is incorporated within 3 months before the end of the association's financial year, subsection (34.8) does not apply for the financial year in which the association is incorporated.
- 34.10** The auditor must examine the statement prepared under subsection (34.88) and present a report about it to the secretary before the next annual general meeting following the financial year for which the audit was made.
- 34.11** 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.

35 DOCUMENTS

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

36 FINANCIAL YEAR

- 36.1** The financial year of the association closes on June 30 in each year.

37 DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

- 37.1** This section applies if the association-
- 37.1.1** is wound-up under part 10 of the Act; and
 - 37.1.2** it has surplus assets.
- 37.2** The surplus assets must not be distributed among the association members.
- 37.3** The surplus assets must be given to another entity:
- 37.3.1** having objects similar to the association's objects; and
 - 37.3.2** the rules of which prohibit the distribution of the entity's income and assets to its members; and
 - 37.3.3** which is a public benevolent institution for the purposes of any Commonwealth taxation Act.
- 37.4** In this section:
"surplus assets" has the meaning given by section 92(3) of the Act.

38 ESTABLISHMENT AND OPERATION OF GIFT FUND

- 38.1** The association will maintain a Gift Fund which shall be named the Bonogin Valley Bulls Cricket Club Inc. Gift Fund -
- 38.1.1** to which gifts of money or property for that purpose are to be made; and
 - 38.1.2** to which any money received by the association because of those gifts is to be credited; and
 - 38.1.3** that does not receive any other money or property.
- 38.2** The association must use the following for the principal purpose for the association:
- 38.2.1** gifts made to the Gift Fund; and
 - 38.2.2** any money received because of those gifts.
- 38.3** If the Gift Fund is wound up or if the endorsement (if any) of the association as a deductible gift recipient is revoked, any surplus assets of the Gift Fund remaining after payment of liabilities attributable to it shall be transferred to a fund, authority or institution to which income tax deductible gifts can be made under Subdivision 30-B of the Income Tax Assessment Act 1997.
- 38.4** The association must maintain a separate bank account for the Gift Fund.
- 38.5** It is declared that the Gift Fund forms part of the association.