

MOOLOOLABA GAME FISHING CLUB INC.

RULES

RULE 1 NAME

The name of the incorporated association (in these rules called “the Association” or “the Club”) is “Mooloolaba Game Fishing Club Inc.”.

RULE 2 OBJECTS

The objects for which the association is established are:

- (a)** To promote the sport of Game Fishing both as a recreation and as a potential source of scientific data for the use and benefit of mankind.
- (b)** To encourage and assist in research programmes dealing with the conservation and orderly management of all marine species and the pollution of their habitat.
- (c)** To endeavour to ensure that all Members obey the rules as determined herein, both in the letter and spirit and to maintain the highest ethical standard at all times and on all occasions.
- (d)** To remain associated and/or affiliated with the Q.G.F.A. and to capture fish in accordance with the rules of the G.F.A.A.
- (e)** To keep and maintain records of fish captures and to submit to the proper authorities on behalf of the Members, claims for record fish captures.
- (f)** To maintain historical records of the activities of the Association and its Members.
- (g)** To engage in competitions with the other Clubs and Associations associated and/or affiliated through their State Associations with G.F.A.A.
- (h)** To promote, enhance and advance the sport of Salt Water Game Fish Angling by publicity through any lawful current media for the dissemination of news.
- (i)** To promote instructional and social activities among Members and to award trophies.
- (j)** To affiliate and/or associate with any society, body or club having similar objects, or to join or co-operate with or subscribe to the funds of any society, body or association for the purpose of better attaining or otherwise furthering the objects and interests of the Association.
- (k)** To purchase, transfer, sell, assign, mortgage, charge, lease, hire or exchange land, boats and/or any other property or goods in any manner authorized by law.

(l) To do all such acts and things as may be deemed necessary in order to achieve any or all of the above objects.

(m) To encourage and promote, within the membership, safety at sea.

RULE 3 POWERS

The powers of the Association are:-

(a) to take over the funds and other assets and the liabilities of the present unincorporated association known as the “Mooloolaba Game Fishing Club”:

(b) to subscribe to, become a member of and co-operate with any other association, club or organization, whether incorporated or not, whose objects are altogether or in part similar to those of the association, but the association shall not subscribe to or support with its funds any club, association or organization which does not prohibit the distribution of its income and property among its member to an extent at least as great as that imposed on the association under or by virtue of Rule 15.10.;

(c) in furtherance of the objects of the association to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the association or persons frequenting the Association’s premises;

(d) to purchase, take on lease or in exchange, hire or otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the association, but in case the association shall take or hold any property which may be subject to any trusts the association shall only deal with the same in such manner as is allowed by law having regard to such trusts;

(e) to enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the association;

(f) to obtain from any such Government or Authority any rights, privileges and concessions which the association may think it desirable to obtain, and to carry, out exercise and comply with any such arrangements, right, privileges and concessions;

(g) to appoint, employ, remove or suspend such managers, clerks, secretaries, employees and other persons as may be necessary or convenient for the purposes of the association;

(h) to remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in the furtherance of its objects;

(i) to construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated

directly or indirectly to advance the Association's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof;

(j) to invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit;

(k) to take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporated;

(l) in furtherance of the objects of the Association to lend and advance money or give credit to any person or body corporate;

(m) to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate;

(n) to borrow or raise money either alone or jointly with any other person or legal entity in such manners as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock, perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated Association's property or assets present or future and to purchase, redeem or pay-off any such securities;

(o) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;

(p) In furtherance of the objects of the association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the association;

(q) to take or hold mortgages, lens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others;

(r) to take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the exception in paragraph (d) hereof;

(s) to take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise;

(t) to print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects;

(u) in furtherance of the objects of the Association to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of Rule 15.10;

(v) in furtherance of the objects of the Association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorized to amalgamate;

(w) in furtherance of the objects of the Association to transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorized to amalgamate;

(x) to make donations for patriotic, charitable or community purposes;

(y) to transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged;

(z) to do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

RULE 4 CLASSES OF MEMBERSHIP

4.1 The membership of the Association shall consist of any of the following classes of Members:

- (a) Ordinary
- (b) Junior Member
- (c) Honorary Life Member

4.2 ORDINARY MEMBER

The number of Ordinary Members shall be unlimited and available to all persons over the age of sixteen (16) years. However, Members under the age of eighteen (18) years are not entitled to vote or hold a position on the Management Committee.

4.3 JUNIOR MEMBER

Any person under the age of sixteen (16) years at the beginning of the Association's financial year, who is elected to the membership of the Association in accordance with the rules applicable to ordinary Members shall be a Junior Member during that year and succeeding years until attaining the age of sixteen (16) years at which time full membership shall be automatically granted.

Junior Membership shall be unlimited in number and a Junior Member shall be entitled to all privileges of ordinary Membership, save that a Junior Member shall not be entitled to vote at any meeting of the association. Furthermore, the fee for such Junior Membership shall be no less than the cost of the affiliation and/or association

with Q.G.F.A. However, Members under the age of eighteen (18) are not entitled to vote or hold a position on the Management Committee.

4.4 HONORARY LIFE MEMBER

The management committee may submit the name of any Member of the Association to an Annual General Meeting to receive by vote or simple majority the honour of Honorary Life Member. A minimum requirement for such honour shall be that the Member has rendered outstanding service to this Association and to the sport of Game Fish Angling for a minimum of seven (7) years.

Honorary Life Members have the right to attend all General and other association meetings, excluding Management Committee meetings and to have a voice and vote at such meetings. Honorary Life Members shall be entitled to all the privileges of ordinary Membership but they shall not be required to pay an annual subscription for membership. No more than one submission for any Honorary Life Member may be made in any one year.

RULE 5 APPLICATION FOR MEMBERSHIP

5.1 Every person who at the date of incorporation of the Association was a Member of the unincorporated Association and who prior to the day of incorporation, agrees in writing to become a Member of the Association shall be admitted by the management committee to the same class of membership of the Association as that Member held in the unincorporated Association.

Every Member of the Association who previously to agreeing to become a Member of the Association has paid the Member's subscription due on or before the day of incorporation, as a Member of the unincorporated Association shall not be liable to pay any further sum by way of annual subscription to the Association for the period prior to the day of incorporation.

5.2 Every candidate for admission as either an Ordinary Member or a Junior Member shall make written application on the Association's double sided application form and be proposed by one existing Ordinary Member and seconded by another existing Ordinary Member both of whom shall vouch for their personal knowledge of the respectability and fitness of the candidate. The nomination form shall contain the candidate's full name, address and occupation and any other information as the management committee may require. The candidate must have duly signed the indemnity on the Association's double sided application form before it can be accepted.

5.3 Every application for membership should be submitted to the Secretary accompanied by entry and annual subscription fees and shall be considered by the management committee at its' next committee meeting held after such application has been displayed for a period of at least one month on the Association's notice board.

5.4 Subject to acceptance of a new Member, the membership shall commence as from the date of receipt by the Honorary Secretary of the application for membership.

All subscriptions received from new Members accepted on or after the 1st May in any financial year shall be deemed to be paid to the 30th June of the ensuing year.

5.5 Election of Members shall be by open ballot and simple majority of Members present at a properly constituted meeting of the management committee.

5.6 The management committee have the right to refuse any application for membership and it shall not be required to give any reason for doing so.

5.7 Upon election of any Member, his or her name, address and occupation shall be entered by the Honorary Secretary on a register of members to be kept for that purpose. The new Member shall be provided with a copy of the Constitution and By-Laws of the Association, also a G.F.A.A Rule book and shall become entitled to the full privileges of the Membership classification which he or she has been elected.

5.8 Should the Member be a boat owner, then the name and particulars of his or her vessel shall be entered by the Honorary Secretary on a Register of Members' Boats to be kept for that purpose.

RULE 6 MEMBERSHIP FEES

6.1 Entrance fees, annual subscriptions fees and levies shall be determined from time to time by the management committee.

6.2 The Association's year shall commence on the first day of July in each year. All annual subscriptions shall become due on the first day of July in each year and shall be payable annually in advance before the 31st day of August in each year.

6.3 If the annual subscription of a Member shall remain unpaid after the 31st day of August the Member shall become an unfinancial Member and his or her name shall be removed from the Register of Members. No unfinancial Member shall be allowed to cast his vote at a meeting.

6.4 Upon any person ceasing to be a Member of the Association pursuant to these rules they shall cease to have any right, title or interest in any of the assets of this Association.

RULE 7 TERMINATION OF MEMBERSHIP

7.1 Any Member may resign from the Association at any time by giving notice in writing to the Secretary.

Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

7.2 If a Member:

- (a) is convicted of an indictable offence; or
- (b) fails to comply with any of the provisions of these rules; or

- (c) has membership fees in arrears for a period of two (2) months or more; or
- (d) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the Association; or
- (e) whose actions may be considered by the management committee as likely to bring discredit to the Association or the sport of the Game Fish Angling;

With the exception of a situation where membership fees have been in arrears for two months or more, then such Member shall render himself or herself liable to expulsion from the Association by a resolution of the management committee provided that at least one week prior to the meeting of the management committee at which such resolution is to be moved, such Member shall have been forwarded notice by certified mail of such intended resolution for his or her expulsion and he or she shall at such meeting, and before the passing of such resolution, have an opportunity of giving orally or in writing any explanation or defence he or she may think fit. Notice of the management committee's resolution expelling a Member pursuant to this rule shall be sent to such person by certified mail.

7.3 Any notice given to a Member under this rule shall be held to have been duly given if sent by certified mail to the address of the Member appearing in the Association records.

7.4 Any expulsion of a person shall have no bearing beyond the affairs of the Association. A Member expelled under this rule shall forfeit all right in and claim upon the Association and its' property.

RULE 8 APPEAL AGAINST EXPULSION OR TERMINATION OF MEMBERSHIP

8.1 A person whose application for membership has been rejected or whose membership has been terminated may within one (1) month of receiving written notification thereof, lodge with the Secretary written notice of the person's intention to appeal against the decision of the management committee.

8.2 Upon receipt of a notification of intention to appeal against rejection or termination of membership the Secretary shall convene, within three (3) months of the date of receipt by the Secretary of such notice, a general meeting to determine the appeal.

8.3 At any such meeting the applicant shall be given the opportunity to fully present the applicant's case and the management committee or those Members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case.

8.4 The appeal shall be determined by the vote of the Members present at such meeting.

8.5 Where a person, whose application is rejected, does not appeal against the decision of the management committee within the time prescribed by these rules or so

appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fee paid.

RULE 9 MEMBERSHIP OF MANAGEMENT COMMITTEE AND DUTIES OF OFFICE BEARERS OF THE MANAGEMENT COMMITTEE OF THE ASSOCIATION

A MANAGEMENT

(a) The entire management of the Association shall be entrusted to a Management Committee (hereinafter referred to as “the Committee” or “the Management Committee”) consisting of the President, the Vice-President, the Hon. Secretary, the Hon. Treasurer or Hon. Secretary/Treasurer, the Club Captain and a minimum of three Ordinary Members of the Association all of whom shall be elected at the Annual General Meeting each year and shall hold office from the date of election until the following Annual General Meeting with the exception of the Vice-President whose office may be appointed as hereinafter provided.

(aa) To be eligible for nomination and/or election to the positions or capacities of President, Vice-President, or Secretary, as Ordinary Member must firstly have served a minimum of 12 months on the Management Committee in another capacity or position including that of an Ordinary Member on the Management Committee.

(aaa) If at any time the President does not stand for re-election or is not re-elected as President for the following club year, he/she will automatically take the position/capacity/office of the Vice-President for the following year without the necessity for election to such office at the Annual General Meeting, provided he/she is available to so serve the Association as Vice-President and should he/she not be available to so serve the Association as Vice President, then that position shall be filled by election at the Annual General Meeting.

(b) The Committee shall not proceed to any business unless a quorum of four members thereof are in attendance.

(c) The President, if present, shall take the chair at all Meetings, both Committee and General, and if he is not present then the Vice-President, if present, shall take the chair and if the President or Vice-President are not present at a Meeting or, being present, are unable or unwilling to preside, then a Chairman shall be elected by resolution of the Members present at the Meeting.

(d) Casual vacancies on the Committee may be filled by resolution of the Committee.

(e) The Committee shall have the power to appoint subcommittees for special purposes and to delegate to them any of the powers of the Committee except those of electing and expelling Members, or altering or revoking By-Laws or these Rules.

(f) The Committee is empowered from time to time to make, alter and revoke By-Laws not inconsistent with these Rules for the internal management of the Association, all such By-Laws until revoked shall be binding on all Members of the Association as if they were contained in these Rules.

(g) A Meeting of the Committee shall be held every month. Notwithstanding the foregoing, Committee Meetings may be waived providing that no two consecutive Committee Meetings may be so waived. A Special Committee Meeting shall be held when and as required and such meetings of the Committee shall be convened by notice to be given to Members by the Hon. Secretary at least seven clear days before such Meeting.

(h) A Committeeman may retire from office upon giving fourteen days notice in writing to the Secretary of his or her intention so to do and such resignation shall take effect upon the expiration of such notice or its earlier acceptance by the Committee.

(i) The Office of a Committeeman shall ipso facto be vacated:

(1) If he ceases to be a Member of the Association:

(2) If he is absent from the Meetings of the Committee during a continuous period of four calendar months without special leave of absence from the Committee and the Committee resolve that this office is vacated.

(j) The Management Committee shall have power at any time to appoint any Member of the Association to fill any casual vacancy on the Management Committee until the next annual general meeting

(k) (1) Except as otherwise provided by these rules and subject to resolutions of the Members of the Association carried at any general meeting the Management Committee –

(i) shall have the general control and management of the administration of the affairs, property and funds of the Association; and

(ii) shall have the authority to interpret the meaning of these rules and any matter relating to the association on which these rules are silent.

(2) The Management Committee may exercise all the powers of the Association

(i) to borrow or raise or secure the payment of money in such manner as the Members of the Association may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way and in particular by the issue of debentures, perpetual or otherwise charged upon all or any of the Association's property, both present and future, and to purchase, redeem or pay off any such securities; and

(ii) to borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Brisbane for overdrawn accounts on money lent, whether the term of the loan shall be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association, and to provide and pay off any such securities; and

(iii) to invest in such manner as the Members of the Association may from time to time determine.

(l) All acts done by any meeting of the Management Committee or of a subcommittee or by any person acting as a Member of the Management Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such Member of the Management Committee or person acting as aforesaid, or that the Members of the Management Committee or any of them were disqualified, be as valid as if every person had been duly appointed and was qualified to be a member of the Management Committee.

(m) (1) A resolution in writing signed by all the Members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be as valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held.

(2) Any such resolution may consist of several documents in like form, each signed by one (1) or more Members of the Management Committee.

B. DUTIES OF OFFICE BEARERS

(a) PRESIDENT

The President shall be the senior executive officer and subject to Clauses 9 A© and 10 6(a) (1) of these Rules, shall preside at all Committee, General and Special General Meeting of the Association. He shall have the right to vote on every motion and shall have in the case of an equality of voting, a casting vote which he must exercise.

(b) VICE-PRESIDENT

In the absence of the President, the Vice-President shall assume the duties and responsibilities of the President.

(c) HONORARY SECRETARY

The Honorary Secretary shall be the principal administrative officer or the Club, subject to direction of the President and/or Committee. His or her duties shall be:

- (1) To keep the Association's books and records in good order for inspection.
- (2) To record accurately the minutes of the Association.
- (3) To conduct the correspondence of the Association under the direction of the President and Committee and to preserve copies of all correspondence.
- (4) To keep records of captures.
- (5) To produce to the President, on request, any books or papers in his possession and to give any information as may be required of him.
- (6) To record receipts of all subscriptions and to pay the sum over to the Treasurer and to take a receipt thereof.

- (7) To keep a proper register of all Members.
- (8) To keep a proper boat register and generally do such thing necessary to maintain the Club's activities.
- (9) The form, custody and use of the Common Seal of the incorporated Association.
- (10) The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee Meeting and General Meeting or special or extraordinary General Meeting to be entered in a book to be open for inspection at all reasonable times by any financial Member who previously applies to the Secretary for that inspection. For the purpose of insuring the accuracy of the recording of such minutes, the minutes of every Management Committee Meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding Management Committee Meeting verifying their accuracy. Similarly, the minutes of every General Meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding General Meeting, provided that the minutes of any Annual General Meeting shall be signed by the Chairman of that Meeting or the Chairman of the next succeeding General Meeting or Annual General Meeting.
- (11) To keep an accurate register of all the Associations' property and Assets.

(d) HONORARY TREASURER

The Honorary Treasurer's duties shall be:

- (1) To receive from the Secretary all monies and subscriptions paid to the Association and to deposit them in such bank or banks as may from time to time be determined by the Committee.
- (2) To keep proper books of accounts and enter therein all monies received and disbursed.
- (3) To certify and submit accounts for payment.
- (3a) Have custody of the books, documents, instruments of title and securities of the Association.
- (4) To pay all accounts which have been passed by the Committee and to obtain vouchers and receipts for all monies paid.
- (5) At each regular Committee Meeting to lay on the table for inspection by the Committee, bank passbooks or balance sheets or bank deposit books written up to date and a balanced cash book statement of receipts and disbursements with reconciled opening and closing balances.
- (6) To prepare a balance sheet at the close of each financial year and after each audit, submit it to the Annual General Meeting of the Association.

(7) And generally to do such things necessary for the proper control, administration and recording of the Association's financial transactions and position.

(e) CLUB CAPTAIN

The club Captain's duties shall be:

- (1) To be the Association Weighmaster.
- (2) To keep proper books and records of fish captured.
- (3) To keep proper records of all fish that are tagged and released.
- (4) To officiate at all Association Competition and Weighins.
- (5) To maintain in good order and working condition the Association's scales and to have them regularly serviced and Certified annually.
- (6) To submit an annual report to the Annual General Meeting.

RULE 10 ANNUAL GENERAL OR GENERAL MEETINGS

10.1 The first general meeting shall be held at such time, not being less than one month nor more than three months after the incorporation of the Association, and at such place as the Management Committee may determine.

10.2 (a) The annual general meeting shall be held in June each year or alternatively within three months of the close of the financial year.

(b) The business to be transacted at every annual general meeting shall be –

(1) the receiving of the Management Committee's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Association for the preceding financial year; and

(2) the receiving of the auditor's report upon the books and accounts for the preceding financial year; and

(3) the election of members of the Management Committee; and

(4) the appointment of an auditor.

10.3 (a) The secretary shall convene a special or extraordinary general meeting –

(1) when directed to do so by the Management Committee; or

(2) on the requisition in writing signed by not less than one-third of the Members presently on the Management Committee or not less than the number of Ordinary Members of the Association which equals double the number of Members presently on the Management Committee plus one; or

(3) on being given notice in writing of an intention to appeal against the decision of the Management Committee to reject an application for membership or to terminate the membership of any person.

(b) A requisition mentioned in sub rule (a) (2) hereof shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat.

10.4 (a) At any general meeting the number of Members required to constitute a quorum shall be double the number of Members presently on the Management Committee plus one.

(b) (1) No business shall be transacted at any general meeting unless a quorum of Members is present at the time when the meeting proceeds to business.

(2) For the purposes of this rule “Member” includes a person attending as a proxy or as representing a corporation which is a Member.

(c) (1) If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of Members of the Management Committee or the Association, shall lapse.

(2) In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the Members then present shall be a quorum.

(d) The chairperson may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

(e) When a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given as in the case of any original meeting.

(f) Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

(g) No business shall be transacted at any General Meeting which is of major importance in respect to the management, operation, financial wellbeing or Rule interpretation of the Club, or any other matter or thing of grave or weighty consequence in relation to the direction and wellbeing of the Club and in all such cases such matters must be referred firstly to the Management Committee for consideration on behalf of and for the wellbeing of the Club and failing a satisfactory resolution within a reasonable time then by referral to the Secretary to convene a special or extraordinary General Meeting to consider such matter or matters upon requisition in writing pursuant to Clause 10.3 (a) (2)

10.5 (a) The secretary shall convene all general meetings of the Association by giving not less than fourteen (14) days notice of any such meeting to the Members of the Association.

(b) The manner by which such notice shall be given shall be determined by the Management Committee.

(c) However, notice of any meeting convened for the purpose of hearing and determining the appeal of a Member against the rejection or termination of the Member's membership by the Management Committee, shall be given in writing.

(d) Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

10.6 (a) Unless otherwise provided by these rules, at every general meeting-

(1) the president shall preside as chairperson, or if there is no president, or if the president is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice-President shall be the chairperson or if the Vice-President is not present or is unwilling to act then the Members present shall elect one of their number to be chairperson of the meeting;

(2) the chairperson shall maintain order and conduct the meeting in a proper and orderly manner;

(3) every question, matter or resolution shall be decided by a majority of votes of the Members present;

(4) every Member present shall be entitled to one vote and in the case of an equality of votes the chairperson shall have a second or casting vote,

(5) however, no Member shall be entitled to vote at any general meeting if the Member's annual subscription is more than one month in arrears at the date of the meeting;

(6) voting shall be by show of hands or a division of Members, unless not less than one-fifth of the Members present demand a secret ballot or poll, in which event there shall be a secret ballot;

(7) the chairperson shall appoint two Members to conduct the secret ballot in such manner as the chairperson shall determine and the result of the ballot as declared by the chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded:

(8) a Member may vote in person or by proxy or by attorney and on a show of hands every person present who is a Member or a representative of a Member shall have one vote and in a secret ballot every Member present in person or by proxy or by attorney or other duly authorized representative shall have one vote;

(9) the instrument appointing a proxy shall be in writing, in the common or usual form, under the hand of the appointor or of the appointor's attorney duly authorised in writing or, if the appointor is a corporation, either under seal or under the hand of an officer or attorney duly authorized;

(10) a proxy may, but need not be a Member of the Association;

(11) the instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot;

(12) where it is desired to afford Members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit –

ASSOCIATION; MOOLOOLABA GAME FISHING CLUB INC. I, of being a Member of the abovenamed Association, hereby appoint of
, or failing the Member, 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 and at any adjournment thereof.

Signed this 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 thinks fit.

; and

(13) the instrument appointing a proxy shall be deposited with the secretary prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument proposes to vote;

(14) at any meeting (unless a secret ballot is demanded as aforesaid) a declaration by the Chairman that a resolution has been carried or carried by a particular majority or lost or not carried by a particular majority shall be conclusive; and

(15) the secretary shall cause full and accurate minutes of all questions, matters and resolutions and other proceedings of every Management Committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial Member who previously applies to the secretary for that inspection.

(b) For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding management committee meeting verifying their accuracy.

(c) Similarly, the minutes of every general meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding general meeting.

(d) However, the minutes of any annual general meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding general meeting or annual general meeting.

10.7 (a) (1) Each year at the Annual General Meeting the whole of the Management Committee shall retire from office but shall be eligible for re-election. The Committee to manage the affairs of the Association for the ensuing year shall be elected in the following manner;

(2) The Chairman shall call nominations for the next years Committee at the monthly General Meeting of the Members in the month immediately prior to the Annual General Meeting of Members. Those persons so nominated should indicate at the time of nomination their intention to stand for election.

(3) All eligible financial Members are to be notified, in writing, of the nominations received prior to the June General Meeting of Members.

(b) (1) At the Annual General Meeting of Members, and prior to the election of the Committee, the Chairman shall name those persons already nominated and call for further nominations from the floor.

(2) If the number of candidates duly nominated does not exceed the number required to be elected, the candidates nominated shall be declared elected. But if the number of candidates nominated shall exceed the number required to be elected, a secret ballot shall be taken, in the aforementioned manner.

(c) Candidates for the positions of President, Vice-President, Secretary, Treasurer or Club Captain if defeated, become eligible for election to other positions in the Committee.

(d) Three Ordinary Members in addition to the above.

RULE 11 ACCOUNTS

The Association shall open an account or accounts with such bank or banks as may be determined by the Committee. All accounts for payment shall firstly be submitted to the Committee and when passed for payment shall be paid by cheque signed by any two of the following: President, Vice-President, Honorary Secretary or Honorary Treasurer. A record of receipts and disbursements shall be audited each year and a properly audited and certified balance sheet shall be submitted to the Annual General Meeting each year. The Committee, when surplus funds are available, may invest any money it deems fit in authorized trustee investments.

RULE 12 NOTICES

Notices required to be given under these rules, unless otherwise specified, shall be in writing and shall be served on the Members either personally or by post to the address of Members as shown in the Register of Members.

RULE 13 WINDING UP

The Association may be dissolved by a Special General Meeting convened for that purpose, the quorum for which shall not be less than half the financial Members being present in person.

(a) The resolution shall be determined by a seventy-five percent majority of Members present and entitled to vote.

(b) If the Association shall be wound up in accordance with the provisions of the Associations Incorporation Act 1901, and there remaining, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the Members of the Association, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Association, and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Association under or by virtue of Rule 15 (10), such institution or institutions to be determined by the Members of the Association.

RULE 14 ALTERATION OF RULES

Subject to the provisions of the Associations Incorporations Act 1982, these Rules may be amended, rescinded or added to from time to time by a special resolution carried at any General meeting: provided that no such amendment, rescission or addition shall be valid unless same shall have been previously submitted to and approved by the Chief Executive of the Department administering the Act.

RULE 15 ASSETS AND INCOME – FUNDS AND ACCOUNTS

15.1 The funds of the Association shall be banked in the name of the Association in such bank as the Management Committee may from time to time direct.

15.2 Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.

15.3 All monies shall be banked as soon as practicable after receipt thereof.

15.4 All amounts of twenty dollars or over shall be paid by cheque signed by any two of the President, Secretary, Treasurer or other Committee Member authorized from time to time by the Management Committee.

15.5 Cheques shall be crossed “Not Negotiable” except those in payment of wages, allowances or petty cash recouplements which may be open.

15.6 The Management Committee shall determine the amount of petty cash which shall be kept on the impress system.

15.7 All expenditure shall be approved or ratified at a Management Committee meeting or general meeting, or special or extraordinary meeting.

15.8 As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing particulars of –

(a) the income and expenditure of the financial year just ended: and

(b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.

15.9 All such statements shall be examined by the Auditor who shall present his report upon such audit to the Secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.

15.10 The income and property of the Association whensoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the Members of the Association provided that nothing herein contained shall prevent the payment in good faith or interest to any such Member in respect of monies advanced by him to the Association or otherwise owing by the Association to him or of remuneration to any officers or servants of the Association or to any Member of the Association or other person in return for services actually rendered to the Association provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any Member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Association or reasonable and proper rent for premises demised or let to the Association.

RULE 16 COMMON SEAL

The Management Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a Member of the Management Committee and shall be countersigned by the Secretary or by a second Member of the Management Committee or by some other person appointed by the Management Committee for the purpose.

RULE 17 BY-LAWS

The Management Committee may from time to time make, amend or repeal by-laws not inconsistent with these rules, for the internal management of the Association and any by-law may be set aside by a general meeting of the Members.

RULE 18 DOCUMENTS

The Management Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

RULE 19 FINANCIAL YEAR

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