



# CONSTITUTION

## PART 1 - PRELIMINARY

### 1. Name

The name of the Club, formed under the rules as set out herein, shall be the NORTH AUSTRALIAN MOTOR SPORTS CLUB INCORPORATED and hereafter referred to as the CLUB.

### 2. The Objects and Purposes

- (1) To promote, foster and conduct motor sport and safe motoring generally.
- (2) To promote friendship and courtesy on the roads socially and in competition between members of the Club.
- (3) To promote and engender social activities.
- (4) To conduct meetings and forums, whereby members may obtain knowledge enabling them to become better drivers, and to maintain their vehicles to a high standard.
- (5) To raise such monies by social engagements so as to provide facilities for the members of the Club and to encourage the running of competitive events within the sphere of the activity of the Club.
- (6) To become or maintain its membership of the Northern Territory Motor Sports Council ("Council").
- (7) To acknowledge that the NT Government and/or its appointed Peak Body owns the improvements at the Hidden Valley Motor Sports Complex.
- (8) To assist the NT Government and/or its appointed Peak Body in any proper management operation control and further development of the Hidden Valley Motor Sports Complex.
- (9) To assist the NT Government and/or its appointed Peak Body in promoting and advancing motor sport in the Northern Territory by encouraging the NT Government and/or its appointed Peak Body to conduct National motor sports events which would not normally be organised, conducted or run by the NT Government and/or its appointed Peak Body or its member Clubs in the normal course of their activities.

### 3. Definitions

In this Constitution, unless the contrary intention appears-

- "Act" means the Associations Act and regulations made under that Act;
- "Committee" means the Management Committee of the Association;
- "financial institution" means an authorised deposit-taking institution within the meaning of section 5 of the *Banking Act 1959* of the Commonwealth;
- "general meeting" means a general meeting of members convened in accordance with clause 44;
- "member" means a member of the Club;
- "register of members" means the register of the Club's members established and maintained under section 34 of the Act;

- "special resolution" means a resolution notice of which is given under clause 47 and passed in accordance with 37 of the Act.

## **PART 2 – CONSTITUTION AND POWERS OF ASSOCIATION**

### **4. Powers of Association**

- (1) For achieving its objects and purposes, the Club has the powers conferred by sections 11 and 13 of the Act.
- (2) Subject to the Act, the Club may do all things necessary or convenient for carrying out its objects or purposes, and in particular, may-
  - (a) acquire, hold and dispose of real or personal property;
  - (b) open and operate accounts with financial institutions;
  - (c) invest its money in any security in which trust monies may lawfully be invested;
  - (d) raise and borrow money on the terms and in the manner it considers appropriate;
  - (e) secure the repayment of money raised or borrowed, or the payment of a debt or liability;
  - (f) appoint agents to transact business on its behalf; and
  - (g) enter into any other contract it considers necessary or desirable.

### **5. Effect of Constitution**

The constitution binds every member and the Club to the same extent as if every member and the Association had signed and sealed this Constitution and agreed to be bound by it.

### **6. Inconsistency of Constitution**

If there is any inconsistency between this Constitution and the Act, the Act prevails.

### **7. Altering the Constitution**

- (1) This constitution may be amended at a General Meeting or a Special General Meeting convened for that purpose, provided that the amendment is accepted by 2/3 majority of the members present and voting at the meeting. Any decision of the committee or of the members at any meeting shall be decided by the majority of those present.
- (2) If the Constitution is altered, the Public Officer must ensure compliance with section 23 of the Act.

## **PART 3 – MEMBERS**

### ***Division 1 - Membership***

### **8. Application for membership**

- (1) Memberships shall be open to any person interested in the furtherance of the objects of the Club.

- (2) Application for membership shall be in writing and shall be in such form as the committee may determine.
- (3) Signed by the applicant.

## **9. Approval of Committee**

- (1) The Committee must consider any application under clause 9 at the next available committee meeting and must accept or reject the application at that meeting or the next.
- (2) If an application is rejected, the applicant may appeal against the decision by giving notice to the Secretary within 14 days after being advised of the rejection.
- (3) If an applicant gives notice of an appeal against the rejection of his or her application, the Committee must reconsider the application at the next committee meeting after receipt of the notice of appeal.
- (4) If after reconsidering an application the Committee reaffirms its decision to reject the application, the decision is final.

## **10. Joining Fee**

- (1) If an application for membership is approved by the Committee, the applicant becomes a member on payment of the joining fee.
- (2) The joining fee is either-
  - (a) The current annual membership fee, withstanding that between 1<sup>st</sup> of July and the 31<sup>st</sup> of December each year, the subscription will be reduced by half for new members for the duration of that subscription year; or
  - (b) The amount determined from time to time by resolution at a general meeting.

## **11. Annual Membership Fees**

- (1) The annual membership fee per member shall be set by the Committee and voted on by the members of the Club.
- (2) Each member must pay the annual membership fee to the Treasurer on or before the first day of January each year or another date as determined by the Committee from time to time.
- (3) A member whose subscription is not paid within 3 months after the due date ceases to be a member unless the Committee determines otherwise.

## **12. Categories of Membership**

- (1) The categories of membership of the Club shall be:-
  - (a) Individual Membership
  - (b) Associate Membership
  - (c) Life Membership
  - (d) Honorary Life Membership
  - (e) Family Membership
  - (f) Junior Membership
  - (g) Day Membership
- (2) 'Individual Membership' shall provide for any person or persons to have involvement with the Club and participate in Club organised motor sport events. An Individual

- member has the right to vote at any ordinary meeting, special meetings or annual general meetings.
- (3) 'Associate Membership' shall provide for any person or persons to have involvement with the Club, but is unable to vote at any ordinary meeting, special meetings or annual general meetings.
  - (4) 'Day Membership' shall provide for a person or persons to compete at a club meeting only and is valid on day of issue only, but is unable to vote at any ordinary meeting, special meetings or annual general meetings.
  - (5) 'Life Membership' shall exempt the member concerned from payment of further subscriptions, but the member shall continue to be liable for any general surcharge which may be levied upon members.
  - (6) 'Life Membership' shall be entitled to enjoy all the benefits and privileges of Individual membership including the right to vote and to be elected to the committee.
  - (7) 'Family Membership' shall provide for any person or persons to have involvement with the Club, membership will provide for parents and or guardians and their immediate children from that relationship. This membership will allow one Individual member and one Associate member and as many Junior Memberships as required of that relationship.
  - (8) 'Junior Membership' shall provide for any person or persons who are attending full time education or under the age of 16, to have involvement with the Club, but is unable to vote at any ordinary meeting, special meetings or annual general meetings.
  - (9) 'Honorary Life Membership' shall exempt the member concerned from payment of further subscriptions and will entitle Lifetime Membership as an Associate Member of the Club. Honorary Life Membership will be awarded to those members or sponsors for ongoing support to the Club.
  - (10) The committee may recommend to the Club at a general meeting or special meeting, that as a mark of gratitude and respect for long standing and exceptionally distinguished service in the cause of the Club given by a member, that the meeting consider, and if approved, grant Life Membership to that member. Such grant shall carry with it the waiver of any subscription.

## ***Division 2 – Rights of Members***

### **13. General**

- (1) Subject to clause 13(2), a member may exercise the rights of membership when his or her name is entered in the register of members.
- (2) A right of membership of the Club –
  - (a) is not capable of being transferred or transmitted to another person; and
  - (b) terminates on the cessation of membership whether by death, resignation or otherwise.

### **14. Voting**

- (1) Subject to clause (2) only financial members of the Club shall be entitled to vote at elections of office bearers or matters which may be put to a vote for decisions at ordinary meetings, special meetings or general meetings of the Club.

- (2) A member is not eligible to vote until his or her application has been accepted by the Club.
- (3) The Management committee of the Club shall not be entitled to vote on any matter at a General meeting.

## **15. Notice of meetings and special resolutions**

The Secretary must give all members notice of general meetings and special resolutions in the manner and time prescribed by this Constitution.

## **16. Access to Club information**

The following must be available for inspection by members:

- (1) a copy of this Constitution;
- (2) minutes of general meetings;
- (3) annual reports and annual financial reports.

## **17. Raising grievances and complaints**

- (1) A member may raise a grievance or complaint about a committee member, the Committee or another member of the Association.
- (2) The grievance or complaint must be dealt with by the procedures set out in Part 8.

### ***Division 3 – Termination, death, suspension and expulsion***

## **18. Termination of Membership**

Membership of the Club may be terminated by –

- (1) a notice of resignation addressed and posted to the Club or given personally to the Secretary or another committee member;
- (2) non-payment of the annual membership fee within the time allowed under clause 11(2); or
- (3) expulsion in accordance with this Division

## **19. Death of Member or Whereabouts Unknown**

If a member dies or the whereabouts of a member are unknown, the Committee must cancel the member's membership.

## **20. Suspension or Expulsion of Members**

- (1) If the Committee considers that a member should be suspended or expelled because his or her conduct is detrimental to the interests of the Club, the Committee must give notice of the proposed suspension or expulsion to the member.
- (2) The notice must –
  - (a) be in writing and include-
    - (i) the time, date and place of the committee meeting at which the question of that suspension or expulsion will be decided; and

- (ii) the particulars of the conduct; and
- (b) be given to the member not less than 30 days before the date of the committee meeting referred to in paragraph (a)(i).
- (3) At the meeting, the Committee must afford the member a reasonable opportunity to be heard or to make representations in writing.
- (4) The Committee may suspend or expel or decline to suspend or expel the member from the Club and must give written notice of the decision and the reason for it to the member.
- (5) Subject to clause 21, the decision to suspend or expel a member takes effect 14 days after the day on which notice of the decision is given to the member.

## **21. Appeals against Suspension or Expulsion**

- (1) A member who is suspended or expelled under clause 20 may appeal against the suspension or expulsion by giving notice to the Secretary within 14 days after receipt of the Committee's decision
- (2) The appeal must be considered at a General Meeting of the Club and the member must be afforded a reasonable opportunity to be heard at the meeting or to make representations in writing prior to the meeting for circulation at the meeting.
- (3) The members present at the General Meeting must, by resolution, either confirm or set aside the decision of the Committee to suspend or expel the member.
- (4) The member is not suspended or does not cease to be a member until the decision of the Committee to suspend or expel him or her is confirmed by resolution of the members.

## **PART 4 – MANAGEMENT COMMITTEE**

### ***Division 1 - General***

## **22. Role and Powers**

- (1) The business of the Club must be managed by or under the direction of the Management Committee
- (2) The Committee may exercise all the powers of the Club except those matters the Act or this Constitution requires the Club to determine through a General Meeting of members.
- (3) The Committee may appoint and remove staff.
- (4) The Committee may establish one or more subcommittees consisting of the members of the Club the Committee considers appropriate.

## **23. Composition of Committee**

- (1) The Management Committee consists of –
  - (a) a President
  - (b) a Vice President
  - (c) a Secretary
  - (d) a Treasurer
  - (e) four duly elected committee members
  - (f) a publicity Officer

- (g) Other positions as maybe required from time to time.
- (2) Unless elected directly as a separate office holder, the Committee must appoint one committee member to be the Club's public officer.

## **24. Delegation**

- (1) The Committee may delegate to a subcommittee or staff any of its powers and functions other than –
  - (a) this power of delegation: or
  - (b) a duty imposed on the Committee by the Act or any other law.
- (2) The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.
- (3) The Committee may, in writing, revoke wholly or in part the delegation.

## ***Division 2 – Tenure of Office***

## **25. Eligibility of Committee Members**

- (1) A committee member must be a member who is over 18 years old.
- (2) A committee member must also meet the criteria provided in the Schedule in Division 3.
- (3) Committee members must be elected at an Annual General Meeting or appointed under clause 32.

## **26. Nominations for Election to Committee**

- (1) A member is not eligible for election to the Committee unless the Secretary receives a written nomination for that member by another member not less than 7 days before the next annual general meeting.
- (2) The nomination must be signed by-
  - (a) the nominator and a seconder; and
  - (b) the nominee to signify his or her willingness to stand for election.
- (3) A person who is eligible for election or re-election under this clause may –
  - (a) propose or second himself or herself for election or re-election; and
  - (b) vote for himself or herself.

## **27. Retirement of Committee Members**

- (1) A committee members holds office until the next annual general meeting unless the member vacates the office under clause 30 or is removed under clause 31
- (2) Subject to subclause (3), at an annual general meeting the office of each committee member becomes vacant and elections for new Committee must be held.
- (3) Prior to positions being declared vacant a Chairperson must be appointed by the meeting to preside at the annual general meeting until a new member is elected as President of the Club. The appointed Chairperson cannot be nominated for any position in the new committee.
- (4) Members may serve consecutive terms on the Committee.

## **28. Election by Default**

- (1) If the number of persons nominated for election to the Committee under clause 26 does not exceed the number of vacancies to be filled, the Chairperson must declare the persons to be duly elected as members of the Committee at the annual general meeting.
- (2) If vacancies remain on the Committee after the declaration under subclause (1), additional nominations of committee members maybe accepted from the floor of the annual general meeting.
- (3) If the nominations from the floor do not exceed the number of remaining vacancies, the Chairperson must declare those persons duly elected as members of the Committee.
- (4) If the nominations from the floor are less than the number of remaining vacancies, the unfilled vacancies are taken to be casual vacancies and must be filled by the new Committee in accordance with clause 32.

## 29. Election by Ballot

- (1) If the number of nominations exceeds the number of vacancies on the Committee, ballots for those positions must be conducted.
- (2) The ballot must be conducted in a manner determined from time to time by resolution at a general meeting.
- (3) The members chosen by ballot must be declared by the Chairperson to be duly elected as members of the Committee.
- (4) Ballot papers are to be destroyed at the conclusion of the AGM Ballot process

## 30. Vacating Office

The office of a committee member becomes vacant if –

- (a) the member –
  - (i) is disqualified from being a committee member under section 30 or 40 of the Act;
  - (ii) resigns by giving written notice to the Committee;
  - (iii) dies or is rendered permanently incapable of performing the duties of office by mental or physical ill-health;
  - (iv) ceases to be a resident of the Territory; or
  - (v) ceases to be a member of the Club;
- (b) the member is absent from more than –
  - (i) 3 consecutive committee meetings; or
  - (ii) 3 committee meetings in the same financial year without tendering an apology to the President;  
Of which meetings the member received notice and the Committee has resolved to declare the office vacant; or
- (c) in any circumstances provided by this constitution.

## 31. Removal of Committee Member

- (1) The Club, through a special general meeting of members, may remove any committee member before the member's term of office ends.
- (2) If a vacancy arises through removal under subclause (1), an election must be held to fill the vacancy.

**32. Filling a casual vacancy on Committee**

- (1) If a vacancy remains on the Committee after the application of clause 28 or if the office of a committee member becomes vacant under clause 30, the Committee may appoint any member of the Club to fill that vacancy.
- (2) However, if the office of Public Officer becomes vacant, a person must be appointed under section 27(6) of the Act to fill the vacancy.

***Division 3- Duties of Committee Members***

**33. Collective responsibility of Committee**

- (1) As soon as practicable after being elected to the Committee, each committee member must become familiar with the Act and regulations made under the Act.
- (2) The Committee is collectively responsible for ensuring the Club complies with the Act and regulations made under the Act.

**34. The President**

- (1) Subject to subclause (2) and (3) Preside at all Club meetings.
- (2) If the President is absent from a meeting, the Vice President must preside at the meeting.
- (3) If the President and the Vice President are both absent, the presiding member for that meeting must be –
  - (i) a member elected by the other members present if it is a general meeting; or
  - (ii) a committee member elected by the other committee members present if it is a committee meeting.
- (4) Represent the Club to authorities i.e. Government, TMSB, Sponsors.
- (5) Provide the direction and guidance to the Club.
- (6) Cast the deciding vote when resolutions etc are deadlocked.
- (7) Carry out the directions of the Club.
- (8) Monitor compliance with the Objects of the Club.
- (9) The President for the time being or in his/her absence, a person duly elected for that purpose, shall be the Chairperson at meetings who shall ensure smooth running will be conducted according to generally accepted rules of order and debate.
- (10) The President for the term of his/her term will assume preside as the Public Officer.

**35. The Vice President**

- (1) Deputise for the President.
- (2) Assist other members of the executive.

**36. The Treasurer**

- (1) The Treasurer must-
  - (a) Pay all moneys received into the account of the Club within 5 working days after receipt;

- (b) Make any payments authorised by the Committee or by a general meeting of the Club from the Club's funds; and
  - (c) The production of financial reports to the executive committee on special request.
  - (d) The presentation of a financial report and statements to the Club at General meetings.
  - (e) Receive all monies paid to or received by the Club and issue receipts for those moneys in the name of the Club;
  - (f) The payment of all expenses incurred by petty cash or by cheque signed by two (2) authorized signatories of whom there shall be no more than four (4).
  - (g) The recording of receipts and payments and other financial transactions, the records of which shall be available for inspection by any member of the Club at a normal general meeting given (14) days notice.
  - (h) These duties may be delegated.
- (2) The Treasurer must ensure the accounting records of the Club are kept in accordance with section 41 of the Act
  - (3) The Treasurer must coordinate the preparation of the Club's annual statement of accounts.

## **37. The Secretary**

- (1) Keep records (minutes) and files of meetings.
- (2) Keep a register of club members in which is registered the names, contact address, phone numbers and joining date of each member.
- (3) Arrange general, special and Annual General Meetings of the Club, including providing notice in accordance with the Club constitution.
- (4) Carry out the duties as directed by the executive and the Club
- (5) Compile and distribute minutes of meetings as soon as practical after meetings.
- (6) These duties may be delegated.

## **38. The Public Officer**

- (1) The public officer must ensure that documents are filed with the Commissioner of Consumer Affairs in accordance with sections 23,28 and 45 of the Act.
- (2) The public officer must keep a current copy of the Constitution of the Club.
- (3) The position of Public Officer, unless otherwise agreed by the Executive Committee, shall be the President. Refer Clause 34 (10).

**PART 5 – MEETINGS OF MANAGEMENT COMMITTEE**

**39. Frequency and calling of meetings**

- (1) The Committee must meet together for the conduct of business on a monthly basis
- (2) The President, or at least half the committee members, may at any time convene a special meeting of the Committee
- (3) A special meeting may be convened to deal with an appeal under clause 21.

**40. Voting and decision making**

- (1) Each committee member present at the meeting has a deliberative vote.
- (2) A question arising at a committee meeting must be decided by a majority vote.
- (3) If there is no majority, the person presiding at the meeting has a casting vote in addition to a deliberative vote.

**41. Quorum**

At Annual General Meetings, Special General Meetings, or Ordinary Meetings, a quorum shall require ten or more current members to be present. At committee meetings a quorum shall require more than half of the committee to be present.

**42. Procedure and order of business**

- (1) The procedure to be followed at a committee meeting must be determined from time to time by the Committee.
- (2) The order of business may be determined by the members present at the meeting.
- (3) Only the business for which the meeting is convened may be considered at a special meeting.

**43. Disclosure of interest**

- (1) A committee member who has a direct or indirect pecuniary interest in a contract, with the Club must disclose the nature and extent of the interest to the Committee in accordance with section 31 of the Act.
- (2) The Secretary must record the disclosure in the minutes of the meeting.
- (3) The President must ensure a committee member who has a direct or indirect pecuniary interest in a contract, or proposed contract, complies with section 32 of the Act.

**PART 6 – GENERAL MEETINGS**

**44. Convening General Meetings**

- (1) The Club must hold Annual General Meetings within 4 months after the close of the financial year, date to be determined by the Committee.
- (2) The Committee –
  - (a) may at any time convene a special general meeting;

- (b) must, within 14 days after the Secretary receives notice under clause 21(1), convene a special general meeting to deal with the appeal to which the notice relates; and
- (c) must, within 30 days after it receives a request under clause 45(1), convene a special general meeting for the purpose specified in that request

## 45. Special General Meetings

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the Club.
- (2) The committee shall, on request, in writing of not less than ten (10) members, convene a Special General Meeting of the Club
- (3) The request for the Special General Meeting shall state the objects of the meeting and shall be signed by the requisitionists and lodged with the Secretary of the Club
- (4) If the committee does not cause a Special General Meeting to be held within twenty-one days from the date on which the request was made for the meeting, the requisitionist, or any of them may convene the meeting but shall not be held after three months from the date of the request.

## 46. Annual General Meeting

- (1) The Secretary must give to all members not less than 30 days notice of an annual general meeting.
- (2) The notice must specify –
  - (a) when and where the meeting is to be held; and
  - (b) the particulars of and the order in which business is to be transacted
- (3) The order of business for each annual general meeting is as follows:
  - (a) first – confirm the minutes of the last annual general meeting
  - (b) second- the consideration of the accounts and reports of the Committee;
  - (c) third – any other business requiring consideration by the Club at the meeting
  - (d) fourth – election of office bearers and committee
  - (e) To appoint an Auditor for the Club for the coming year
- (4) The AGM shall in addition to other General Meetings that may be held.
- (5) The AGM shall be specified as such in section 49.

## 47. General Meetings

- (1) No item of business shall be transacted at a general meeting unless a quorum of members entitled under the rules to vote is present during the time when the meeting is considering that item.
- (2) If with one hour, after the appointed time for the commencement of a general meeting a quorum is not present, the meeting shall be dissolved and shall stand adjourned to the same day in the next week, at the same time and place.
- (3) No new business shall be introduced to the meeting after 2 hours from the commencement of the meeting unless approval is sought and given by the majority of the members present and a quorum is maintained.

## 48. Special Resolutions

- (1) A special resolution may be moved at any general meeting of the Club.

- (2) The Secretary must give all members not less than 21 days notice of the meeting at which a special resolution is to be proposed unless otherwise provided in the schedule.
- (3) The notice must include the resolution to be proposed and the intention to propose the resolution as a special resolution.

## 49. Notice of Meetings

- (1) The Secretary must give a notice under this Part by-
  - (a) serving it on a member personally; or
  - (b) sending it by post to a member at the address of the member appearing in the register of members.
  - (c) Email at the members registered email address
- (2) If notice is sent by post under subclause (1)(b), sending of the notice is taken to have been properly effected if the notice is addressed and posted to the member by ordinary prepaid mail.
  - (a) It shall be the responsibility of all members to notify the Secretary of any change of address

## 50. Quorum at General Meetings

At a general meeting, the number or the proportion of members present in person specified in this Constitution constitutes a quorum.

## 51. Lack of Quorum

- (1) If within 30 minutes after the time specified in the notice for the holding of a general meeting a quorum is not present -
  - (a) for an annual general meeting or special general meeting convened under clause 44(2a)- the meeting stands adjourned to the same time on the same day in the following week and to the same place;
  - (b) for a meeting convened under clause 44(2b) – the members who are present in person or by proxy may proceed with hearing the appeal for which the meeting is convened; or
  - (c) for a meeting under clause 44(2c) – the meeting lapses.
- (2) If within 30 minutes after the time appointed by subclause (1)(a) for the resumption of an adjourned general meeting a quorum is not present, the members who are present in person or by proxy may proceed with the business of that general meeting as if a quorum were present.
- (3) The President may, with the consent of the general meeting at which a quorum is present, and must, if directed by the members at the meeting, adjourn that general meeting from time to time and from place to place.
- (4) There must not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the meeting was adjourned.
- (5) If a general meeting is adjourned for a period of 30 days or more, the Secretary must give notice of the adjourned general meeting as if that general meeting were a fresh general meeting.

## 52. Voting

- (1) Subject to clause 14(2) each member present in person or by proxy at a general meeting is entitled to a deliberative vote.
- (2) At a general meeting –
  - (a) an ordinary resolution put to the vote is decided by a majority of votes made in person or by proxy; and
  - (b) a special resolution put to the vote is decided by majority of votes made in person or by proxy in favour of the resolution.
- (3) A poll may be demanded by the Chairperson or by 3 or more members present in person or by proxy.
- (4) If demanded, a poll must be taken immediately and in the manner the Chairperson directs.

## 53. Proxies

A member may appoint in writing another member to be the proxy of the appointing member to attend and vote on behalf of the appointing member at any general meeting.

## **PART 7 – FINANCIAL MANAGEMENT**

### 54. Financial Year

The financial year of the Club is the period beginning 1<sup>st</sup> of July each year and the end on the 30<sup>th</sup> day of June in the following year.

### 55. Funds and Accounts

- (1) The Club must open an account with a financial institution from which all expenditure of the Club is made and into which all of the Club's revenue is deposited.
- (2) Subject to any restrictions imposed by the Club at a general meeting, the Committee may approve expenditure on behalf of the Club within limits of budget.
- (3) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 committee members.
- (4) All accounts for payment shall be presented to the committee for consideration prior to passing for payment.
- (5) All funds of the Club must be deposited into the financial account of the Club no later than 5 working days after receipt or as soon as practicable after that day.
- (6) With the approval of the Committee, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of transaction.

### 56. Accounts and Audits

The responsibility of the Committee under clause 33(2) for ensuring compliance with the Act includes meeting the requirements of Part 5 of the Act and regulations made for that Part relating to –

- (a) the keeping of accounting records;

- (b) the preparation and presentation of the Club's annual statement of accounts; and
- (c) the auditing of the Club's accounts.
- (d) An Auditor or Auditors shall be elected at each Annual General Meeting and it shall be his/her or their responsibility to examine the financial affairs of the Club and furnish a report thereon at the Annual General Meeting. Audits shall be conducted at regular intervals on 12 months.

## **PART 8 – GRIEVANCE AND DISPUTES**

### **57. Grievance and Disputes Procedures**

- (1) This clause applies to disputes between –
  - (a) a member and another member; or
  - (b) a member and the Committee
- (2) Within 14 days after the dispute comes to the attention of the parties to the dispute, they must meet and discuss the matter in dispute, and, if possible, resolve the dispute.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days after the meeting, hold another meeting in the presence of a mediator.
- (4) The mediator must be –
  - (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement –
    - (i) for a dispute between a member and another member – a person appointed by the Committee; or
    - (ii) for a dispute between a member and the Committee – a person who is a mediator appointed or employed by the department administering the Act.
- (5) A member of the Club can be a mediator.
- (6) The mediator cannot be a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute mediation.
- (8) The mediator, in conducting the mediation, must
  - (a) give the parties to the mediation process every opportunity to be heard;
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result on the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise law.

## **PART 9 – MISCELLANEOUS**

### **58. Common Seal**

- (1) The seal of Association shall be in the form of a rubber stamp, inscribed with the name of the Association encircling the word 'seal'.
- (2) The Seal of Association shall not be used without express consent of the Committee and the signature either of two members of the committee or one member and the Public Officer shall attest the affixing. Every use of that common seal must be recorded by the Secretary.
- (3) The seal shall remain the custody of the Public Officer.

## **59. Income and Property of the Club**

The income and property of the Club, however derived, shall be applied solely towards the promotion of the objects and purposes of the Club and no portion thereof shall be paid or transferred, directly or indirectly, by dividend, bonus, or otherwise, to any member of the Club.

The Club shall not:-

- (1) appoint a person who is a member of the committee to any office in the gift of the Club to the holder of which there is payable any remuneration by way of salary, fees, or allowances; or
- (2) pay to any such person any remuneration or other benefit in money or money's worth (other than the payment of out-of-pocket expenses).
- (3) Nothing in the foregoing provisions of this rule prevents the payment in good faith to a servant or member of the Club of:-
  - (a) remuneration in return for services actually rendered to the Association by the servant or member or for goods supplied to the Association by the servant or member in the ordinary course of business.
  - (b) interest at current bank overdraft rate on money lent; or
  - (c) a reasonable and proper sum by way of rent for premises let to the Association by the servant or member.

## **60. Dissolution**

The Club may be dissolved upon the vote of the absolute majority of the members present at a Special General Meeting convened to consider such a question, and upon dissolution assets and funds on hand may, after payment of all expenses and liabilities, be donated to a recognised, approved charitable body or a properly constituted organisation with objects similar to the Club.