

To be certified as
AMENDED FORM
true and correct by
Doc. No. -
2 officers secretaries

**VOLUNTEER MARINE RESCUE
BRIBIE ISLAND INC.**

CERTIFIED TRUE & CORRECT.
Commodore CAP LUSCOMBE

Secretary Chris Voss

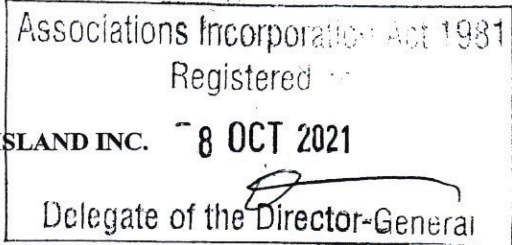


CONSTITUTION

Adopted at a Special General Meeting held on ~~18th July 2018~~ 14th August 2021

**VOLUNTEER MARINE RESCUE BRIBIE ISLAND INC.
INDEX to RULES**

Rule No.		Page No.
<u>1.0</u>	<u>NAME.....</u>	<u>3</u>
<u>2.0</u>	<u>DEFINITIONS</u>	<u>3</u>
<u>3.0</u>	<u>OBJECTS</u>	<u>3</u>
<u>4.0</u>	<u>POWERS</u>	<u>3</u>
<u>5.0</u>	<u>CLASSES OF MEMBERSHIP.....</u>	<u>5</u>
<u>6.0</u>	<u>MEMBERSHIP</u>	<u>7</u>
<u>7.0</u>	<u>MEMBERSHIP FEES</u>	<u>8</u>
<u>8.0</u>	<u>ADMISSION AND REJECTION OF MEMBERS</u>	<u>8</u>
<u>9.0</u>	<u>CANCELLATION OR TERMINATION OF MEMBERSHIP</u>	<u>8</u>
<u>10.0</u>	<u>APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP</u>	<u>8</u>
<u>11.0</u>	<u>REGISTER OF MEMBERS.....</u>	<u>9</u>
<u>12.0</u>	<u>MANAGEMENT COMMITTEE.....</u>	<u>9</u>
<u>13.0</u>	<u>SUB-COMMITTEES AND DELEGATES</u>	<u>10</u>
<u>14.0</u>	<u>OFFICERS AND DUTIES.....</u>	<u>10</u>
<u>15.0</u>	<u>ELECTIONS</u>	<u>11</u>
<u>16.0</u>	<u>RESIGNATIONS FROM POSITIONS</u>	<u>11</u>
<u>17.0</u>	<u>VACANCIES</u>	<u>11</u>
<u>18.0</u>	<u>MEETINGS OF MANAGEMENT COMMITTEE.....</u>	<u>11</u>
<u>19.0</u>	<u>ANNUAL GENERAL OR GENERAL MEETINGS</u>	<u>12</u>
<u>20.0</u>	<u>COMMON SEAL.....</u>	<u>14</u>
<u>21.0</u>	<u>BY LAWS</u>	<u>15</u>
<u>22.0</u>	<u>ALTERATION OF RULES.....</u>	<u>15</u>
<u>23.0</u>	<u>FUNDS AND ACCOUNTS</u>	<u>15</u>
<u>24.0</u>	<u>DOCUMENTS.....</u>	<u>16</u>
<u>25.0</u>	<u>FINANCIAL YEAR.....</u>	<u>16</u>
<u>26.0</u>	<u>DISTRIBUTION OF SURPLUS ASSETS</u>	<u>16</u>



VOLUNTEER MARINE RESCUE BRIBIE ISLAND INC. 8 OCT 2021

RULES

PREAMBLE

These Rules and By-Laws of the Volunteer Marine Rescue Bribie Island Inc. may also be referred to as the Constitution.

1.0 NAME

1.1 The name of the incorporated association is Volunteer Marine Rescue Bribie Island Inc. (hereinafter called "the Association").

2.0 DEFINITIONS

2.1 In these rules:

- (a) 'Act' – means the Associations Incorporation Act (Qld) 1981
- (b) 'Committee' - means committee, management committee or board of the Association as the case may be.
- (c) Eligible Institution means a fund, authority or institution; listed in section 30 of the Tax Act as a fund, authority or institution to which tax-deductible gifts may be made; or in a class of funds, authorities or institutions listed in section 30 of the Tax Act as a class of funds, authorities or institutions to which tax-deductible gifts may be made.
- (d) Any reference to a statute or provision of a statute is a reference to:
 - (i) that statute or provision as amended or re-enacted from time to time; and
 - (ii) a statute or provision enacted in replacement of that previous statute or provision;
- (e) Words importing the masculine gender include the feminine gender and words importing the feminine gender include the masculine gender; and
- (f) Words in the singular include the plural and words in the plural include the singular.
- (g) Rescue Membership shall imply rescue coverage of the designated vessel of a member.

2.2 A word or expression that is not defined in these rules, but is defined in the Act has, if the context permits, the meaning given by the Act.

3.0 OBJECTS

The objects for which the Association is established are:

- 3.1 To promote, foster and support boating safety among members and the boating public generally by arranging training and education programmes.
- 3.2 To provide a marine rescue service, a rescue base and such equipment deemed necessary for the operation of the rescue service and the Association generally.

4.0 POWERS

The powers of the Association are:

- 4.1 To subscribe to, become a member of and co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association

provided that the Association shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of rule 22.10;

- 4.2 In furtherance of the objects of the Association to buy, sell and deal in all kinds of articles, commodities and provision, both liquid and solid for the members of the Association or persons frequenting the Association's premises;
- 4.3 To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements of 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: Provided that 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;
- 4.4 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; 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, rights, privileges and concessions;
- 4.5 To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workers and other persons as may be necessary or convenient for the purposes of the Association;
- 4.6 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;
- 4.7 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, improvements, maintenance, development, working, management, carrying out, alteration or control thereof;
- 4.8 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 subject where applicable to regulation 32(14) of the Collections Regulations 1975;
- 4.9 To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;
- 4.10 In furtherance of the objects of the Association to lend and advance money or give credit to any person or body corporate; 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;
- 4.11 To borrow or raise money either alone or jointly with any other person or legal entity in such manner 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;
- 4.12 To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
- 4.13 In furtherance of the objects of the Association but subject to Rule 25.1 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;

- 4.14 To take or hold mortgages, liens 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;
- 4.15 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;
- 4.16 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;
- 4.17 To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects;
- 4.18 In furtherance of the objects of the Association to amalgamate with any one or more incorporated organisations having objects similar to those of the Association and which shall prohibit the distribution of its or their income and property amongst its or their members to an extent at least as great as that imposed upon this Association and which is a fund, authority or institution approved by the Commissioner of Taxation as a fund, authority or institution referred to in section 23 of the Income Tax Assessment Act, 1936 (as amended);
- 4.19 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 authorised to amalgamate;
- 4.20 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 authorised to amalgamate;
- 4.21 To make donations for ~~patriotic, charitable or community~~ purposes;
- 4.22 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;
- 4.23 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.

5.0 CLASSES OF MEMBERSHIP

- 5.1 There shall be six (6) classes of membership of the Association:

Active Members
Associate Members
Ordinary Members
Subscribed Life Members
Honorary Members
Life Members

5.2 Active Members

An Active member must be at least 16 (sixteen) years of age or any higher age as determined by the Management Committee.

A member who is actively volunteering regularly in a recognised capacity with the squadron as at the adoption and approval date of this Constitution will by resolution of the Management Committee be recognised as an Active member. Members holding Family Membership will retain those benefits when admitted to this membership class.

After this date any other class of member who wishes to become an Active member must apply to the Management Committee. Such application will contain the necessary details to support the request and be supported by a proposer who is an Active member.

Active members must meet the requirements for operational duties as established by the Management Committee from time to time.

Active membership will cease when the member is deemed by the Management Committee to no longer be meeting the requirements of this class of membership. The membership class of Active members who cease to be classified as Active members for this reason will revert to the membership class they held prior to becoming an Active member.

Active members shall be entitled to vote at a general meeting of the Association.

Only Active members are eligible to nominate for election to the management committee.

5.3 Associate Members

Associate members are those members not classed in any other membership class who may or may not require marine rescue services.

Applicants seeking Associate Membership shall make application to the Management Committee who shall decide upon such applications.

Associate Members may attend and speak at a general meeting but shall not be entitled to vote thereat nor be eligible to be nominated for election to the Management Committee.

5.4 Ordinary Members

This class of membership is closed to new members from the date of this constitution. All Ordinary members on the membership register at the date of this Constitution will retain all rights and privileges pertaining to this class of membership prior to this Constitution, including the right to vote.

Existing Ordinary Members comprise

- single membership or family membership, each of which shall include
 - a. - rescue membership, which is membership including rescue assistance or
 - b. - non rescue membership, which is membership except for rescue assistance

Family membership shall include two (2) adults and children up to the age of sixteen (16) years and older children who are full-time students. Family membership will be entitled to a maximum of 2 (two) votes.

5.5 **Subscribed Life Members**

Subscribed Life Membership shall be members who have paid a prescribed lump sum in lieu of an annual subscription.

This class of membership is now closed.

5.6 **Honorary Members**

Honorary membership may be conferred on a person

- who has been nominated by the Management Committee as being able to assist it in the affairs of the Association, or
- who is considered by the Management Committee to have warranted such action by their contribution to the advancement of the Association or Volunteer Marine Rescue generally,

by resolution of a Management Committee Meeting for such period and term as determined by the Management Committee

Honorary membership does not include a rescue service nor carry the right to vote but may attend and be invited to speak at a general meeting.

Honorary members are not eligible to be nominated for election to the management committee.

5.7 **Life Members**

Life membership may, on the recommendation of the Management Committee to an Annual General Meeting, be granted to any person who has rendered conspicuous and exceptional service to the Association, by a resolution passed by three-fourths or more of such of the voting members of the Association as are present in person at the Annual General Meeting.

Life members shall not be liable to pay any subscription for their membership.

The total number of Life Members at any time shall not be limited and shall include members previously known as Honorary Members of the unincorporated Bribie Island Volunteer Sea Rescue.

Life members have full voting rights.

Life Members who are Active Members are eligible to nominate for election to the Management Committee.

6.0 **MEMBERSHIP**

6.1 Admission to all classes of membership is by a Management Committee decision only and is not possible through any other means.

6.2 Every application for any class of membership of the Association shall be in such form as the Management Committee from time to time prescribes.

6.3 Membership in any class will cease if the member resigns or otherwise ceases to be a member. A membership may be cancelled if the member has membership fees in arrears for at least one (1) month. A person whose membership has lapsed for any reason may apply for a new membership in a class determined by the Committee.

7.0 MEMBERSHIP FEES

- 7.1 The membership fees for each class of membership shall be such as the members shall from time to time at any Annual General Meeting or special general meeting so determine.
- 7.2 The membership fees for each class of membership shall be payable at such time and in such manner as the Management Committee shall from time to time determine.

8.0 ADMISSION AND REJECTION OF MEMBERS

- 8.1 At the next meeting of the Management Committee after the receipt of any application and the fee applicable for Associate membership, such application shall be considered by the Management Committee who shall thereupon determine upon the admission or rejection of the applicant.
- 8.2 Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the appropriate class of membership.
- 8.3 Upon the acceptance or rejection of an application for any class of membership the secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

9.0 CANCELLATION OR TERMINATION OF MEMBERSHIP

- 9.1 A 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.
- 9.2 If a member -
- is convicted of an indictable offence; or
 - fails to comply with any of the provisions of these Rules; or
 - conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the Association;
- the Management Committee shall consider whether the member's membership shall be terminated.
- 9.3 The member concerned shall be given a full and fair opportunity of presenting the member's case and if the Management Committee resolves to terminate the membership it shall instruct the secretary to advise the member in writing accordingly.

10.0 APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- 10.1 A person whose application for membership has been rejected or whose membership has been terminated, may within one 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.
- 10.2 Upon receipt of a notification of intention to appeal against rejection or termination of membership the secretary shall convene, within three months of the date of receipt by the secretary of such notice, a Special General Meeting to determine the appeal. 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. The appeal shall be determined by the vote of the members present and entitled to vote at such meeting. Proxy votes are not acceptable for the purposes of this clause.

- 10.3 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 pro rata amount of any fee paid.

11.0 REGISTER OF MEMBERS

- 11.1 The Management Committee shall cause a register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the Association and the dates of their admission.
- 11.2 Particulars shall also be entered into the Register of deaths, resignations, terminations and re-instatements of membership and any further particulars as the Management Committee or the members at any general meeting may require from time to time.
- 11.3 The Register shall be open for inspection at all reasonable times by any member who previously applies to the secretary for such inspections. The member is only entitled to view their own membership record.

12.0 MANAGEMENT COMMITTEE

- 12.1 The Management Committee of the Association shall consist of:

COMMODORE
VICE-COMMODORE
SECRETARY
TREASURER
FIVE (5) OTHER MEMBERS

The Management Committee will include a member who holds the rank of Coxswain. Members of the Management Committee must have been Active members of the Association for a minimum period of six (6) months. The members of the Association entitled to vote at any general Meeting may elect or appoint additional other Members.

Any person nominating for election or appointment to the Management Committee must be a financial member at the date set for receipt of nominations prior to the Annual General Meeting.

- 12.2 At the Annual General Meeting of the Association, all the members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.
- 12.3 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 of the Association
- shall have the general control and management of the administration of the affairs, property and funds of the Association;
 - shall have authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent.
- 12.4 The Management Committee may exercise all the powers of the Association
- 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;

- 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 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
- to invest in such manner as the members of the Management Committee may from time to time determine.

12.5 The Management Committee may delegate any of its powers to a sub-committee consisting of such Active members of the Association as the Management Committee thinks fit, and may appoint qualified members to whatever positions may be required from time to time by the Association or by Volunteer Marine Rescue Association of Queensland Inc. Any sub-committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Management Committee.

12.6 All acts done by any meeting of the Management Committee or of a sub-committee 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 such person had been duly appointed and was qualified to be a member of the Management Committee.

13.0 SUB-COMMITTEES AND DELEGATES

The number of members serving on each sub-committee shall be determined by the Management Committee

Membership of all Sub-Committees shall be approved by the Management Committee

All Sub-Committees shall appoint a Chairman and if deemed necessary a Deputy Chairman from amongst its members.

14.0 OFFICERS AND DUTIES

The Association shall have the following officers:

- 14.1 Commodore: The Commodore shall be the chief executive officer of the Association. The Commodore shall preside as Chairperson at all General Meetings and Management Meetings; represent the organization on all formal occasions; co-ordinate the activities of all officers and committees. The Commodore shall be, ex officio, a member of all committees.
- 14.2 Vice-Commodore: The Vice-Commodore shall assist the Commodore in the performance of the Commodore's duties and shall act in the Commodore's place at any meeting or on formal occasions if the Commodore is unable to attend.
- 14.3 Secretary: The Secretary shall carry out all secretarial duties as required by the Commodore, the Management Committee or as required under these rules. These duties shall include maintenance of a complete and up-to-date register of all members; receipt and despatch of correspondence; keeping of proper minutes of all General Meetings and Management Meetings; presentation of such minutes for confirmation at the next meeting of the body concerned; and the orderly filing of all registers, minutes, correspondence and other documents belonging to the Association.
- 14.4 Treasurer: The Treasurer shall receive and disburse monies on behalf of the Association; issue receipts; keep proper books of accounts; present accounts for payment; present a monthly Statement of Receipts and Expenditure at each Management Meeting; submit the books to the Auditor at least once a year; and

present an audited Annual Statement of Receipts and Payments, Income and Expenditure and Assets and Liabilities, as set out in these rules. He or she may be required to act as Treasurer for all Committees.

15.0 ELECTIONS

The election of the Management Committee shall take place in the following manner:

- 15.1 Any two Active members of the Association shall be at liberty to nominate any other Active member to serve as an officer or other member of the Management Committee.
- 15.2 The nomination, which shall be in writing and signed by the member and the member's proposer and seconder, shall be lodged with the secretary at least fourteen (14) days before the Annual General Meeting at which the election is to take place.
- 15.3 A list of the candidates' names in alphabetical order in sequence of positions, with the proposers' and seconders' names, shall be posted in a conspicuous place in the office or usual place of meeting of the Association for at least seven (7) days immediately preceding the Annual General Meeting.
- 15.4 Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order in sequence of positions and each voting member present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
- 15.5 Should at the commencement of such meeting there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting for the vacant position/s.

16.0 RESIGNATIONS FROM POSITIONS

Any member of the Management Committee may resign from membership of that Committee 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 in which case it shall take effect on that later date. A member may be removed from office at a General Meeting of the Association where that member shall be given the opportunity to fully present the member's case. The question of removal shall be determined by the voting members present at such a General Meeting.

17.0 VACANCIES

- 17.1 The Management Committee shall have power at any time to appoint any Active member of the Association to fill any casual vacancy on the Management Committee until the next Annual General Meeting.
- 17.2 The continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee, but if and so long as their number is reduced below the number fixed by or pursuant to these rules as the necessary quorum of the Management Committee, the continuing member or members may act for the purpose of increasing the number of members of the Management Committee to that number or of summoning a General Meeting of the Association, but for no other purpose.

18.0 MEETINGS OF MANAGEMENT COMMITTEE

- 18.1 The Management Committee shall meet at least once every calendar month to exercise its functions.
- 18.2 A special meeting of the Management Committee shall be convened by the secretary on the requisition in writing signed by not less than one-third of the members of the Management Committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.
- 18.3 At every meeting of the Management Committee a simple majority of a number equal to the number of members elected and/or appointed to the Management Committee as at the close of the last general meeting of the members, shall constitute a quorum.

- 18.4 Subject as previously provided in this rule, the Management Committee may meet together and regulate its proceedings as it thinks fit: Provided that questions arising at any meeting of the Management Committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.
- 18.5 A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Association in which the member is interested, or any matter arising thereout, and if the member does so vote the member's vote shall not be counted.
- 18.6 Not less than three (3) days' notice shall be given by the secretary to members of the Management Committee of any special meeting of the Management Committee. Such notice shall clearly state the nature of the business to be discussed thereat.
- 18.7 The Commodore shall preside as Chairperson at every meeting of the Management Committee, or if there is no Commodore, or if at any meeting the Commodore is not present within ten (10) minutes after the time appointed for holding the meeting, the Vice-Commodore shall be Chairperson or if the Vice-Commodore is not present at the meeting then the members may choose one of their number to be Chairperson of the meeting.
- 18.8 If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, shall lapse. 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 meeting shall lapse.
- 18.9 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. Any such resolution may consist of several documents in like form, each signed by one or more members of the Management Committee.
- 18.10 The Management Committee may hold meetings or permit a Committee member to take part in Committee meetings by using any technology that reasonably allows the member to hear and take part in discussions as they occur. A committee member who participates in the meeting as mentioned in this rule is taken to be present at the meeting.

19.0 ANNUAL GENERAL OR GENERAL MEETINGS

- 19.1 The Annual General Meeting shall be held within six (6) months of the close of the financial year.
- 19.2 The business to be transacted at every Annual General Meeting shall be -
- 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;
 - the receiving of the auditor's report upon the books and accounts for the preceding financial year;
 - the election of the Management Committee; and
 - the appointment of an auditor.
- 19.3 The secretary shall convene a special general meeting -
- when directed to do so by the Management Committee; or
 - 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 eligible voting members of the Association which equals double the number of members presently on the Management Committee plus one. Such requisition shall clearly

state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat; or

- on being given a 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.

19.4 Quorum

At any general meeting the number of voting members required to constitute a quorum shall be double the number of members presently on the Management Committee plus one.

No business shall be transacted at any general meeting unless a quorum of voting members is present at the time when the meeting proceeds to business. For the purposes of this rule "member" includes a person attending as a proxy or as representing a corporation which is a member.

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. 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 present shall be a quorum.

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

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.

- 19.5 The secretary shall convene all general meetings of the Association by giving not less than fourteen (14) day's notice of any such meeting to the members of the Association.

The manner by which such notice shall be given shall be determined by the Management Committee: Provided that 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. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

- 19.6 Unless otherwise provided by these Rules, at every general meeting -

The Commodore shall preside as Chairperson, or if there is no Commodore, or if the Commodore is not present within fifteen (15) minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice-Commodore shall be the Chairperson or if the Vice-Commodore is not present or is unwilling to act then the members present shall elect one of their number to be Chairperson of the meeting;

The Chairperson shall maintain order and conduct the meeting in a proper and orderly manner;

Every question, matter or resolution shall be decided by a majority of votes of the members present and entitled to vote;

Every voting 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: Provided that no member shall be entitled to vote at any general meeting if the member's annual subscription is more than one (1) month in arrears at the date of the meeting;

Voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot. 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;

At the Annual General Meeting a voting member may vote in person or by proxy and on a show of hands or in a secret ballot. Every person present who is a voting member shall have one vote and may exercise one proxy vote;

The instrument appointing a proxy shall be in writing, in the common or usual form under the hand of the appointer or, if the appointer is a corporation, either under seal or under the hand of an officer or attorney duly authorised. A proxy is to be a voting member of the Association and such member is limited to only one proxy vote. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot;

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:

VOLUNTEER MARINE RESCUE BRIBIE ISLAND INC.

I, _____ of _____, being a member of the above named Association, hereby appoint of _____, or failing him/her, 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 the resolution.
* against

* Strike out whichever is not desired. (Unless otherwise instructed, the proxy may vote as the proxy thinks fit.)

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; and

The secretary shall cause full and accurate minutes of all questions, matters, 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. 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. 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: Provided that 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.

20.0 COMMON SEAL

20.1 The Management Committee shall provide for a common seal and for its safe custody.

20.2 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.

21.0 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 voting members.

22.0 ALTERATION OF RULES

22.1 Subject to the provisions of the Associations Incorporation Act 1981, these rules may be amended, rescinded or added to from time to time by a special resolution carried at any general meeting.

22.2 However, no such amendment, rescission or addition shall be valid unless the same shall have been submitted to and approved by the Chief Executive of the Department administering the Act.

23.0 FUNDS AND ACCOUNTS

23.1 The funds of the Association shall be deposited in the name of the Association in such bank or other financial institution as the Management Committee may from time to time direct.

23.2 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.

23.3 All money shall be banked as soon as practicable after receipt thereof.

23.4 All accounts shall be paid in accordance with guidelines set from time to time by the Management Committee provided always that payments of \$100 and over shall be made by cheque or electronic bank transfer. Cheques and electronic bank transfers are to be signed or authorised by any two (2) of the Commodore, Vice Commodore, Secretary, Treasurer or any other member authorised from time to time by the Management Committee.

23.5 Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupments which may be open.

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

23.7 All expenditure shall be approved or ratified at a Management Committee meeting.

23.8 As soon as practicable after the end of each financial year the treasurer shall cause to be prepared a statement containing particulars of -

- the income and expenditure for the financial year just ended; and
- the assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.

23.9 All such statements shall be examined by the auditor who shall present a 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.

23.10 The income and property of the Association whencesoever 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 of interest to any such member in respect of moneys advanced by the member to the

Association or otherwise owing by the Association to the member or of remuneration to any officers or servants of the

Association or to any member of the Association or other person in return for any 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.

24.0 DOCUMENTS

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

25.0 FINANCIAL YEAR

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

26.0 DISTRIBUTION OF SURPLUS ASSETS

26.1 If upon winding-up or dissolution of the Association there remains after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed amongst the members of the Association but shall be given or transferred to some other Association having objects similar to those of this Association and which shall prohibit the distribution of its or their income and property amongst its or their members, and which is a fund, authority or institution approved by the Commissioner of Taxation as a fund, authority or institution referred to in section 23 of the Income Tax Assessment Act, 1936 (as amended).

26.2 If the Association is wound up or its endorsement as a deductible gift recipient is revoked (whichever occurs first), any surplus of the following assets shall be transferred to another organisation with similar objects, which is charitable at law, to which income tax deductible gifts can be made:

(a) gifts of money or property for the principal purpose of the Association

(b) contributions made to an eligible fundraising event held for the principal purpose of the Association

(c) money received by the Association because of such gifts and contributions.

End Of Rules