



RULES OF ASSOCIATION (2006-2016)

AUSTRALIAN PITCH AND PUTT ASSOCIATION INC.
(Incorporated under the Associations Incorporation Act 1991 of the ACT)
Rules of Association

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Part 1 – Preliminary

1 Commencement

These Rules of Association will come into effect on 1 January, 2008, and thereupon replace all former Rules of Association.

2 Definitions for rules

In these rules:

Note A definition applies except so far as the contrary intention appears

Accredited Player is any player of pitch and putt who is a member of a Recognised Entity.

Association is the Australian Pitch and Putt Association Inc.

Board is the Board of the Association as constituted under Rule 15.

Eligible Participant is any Constituent member, Board member or Accredited Player who is eligible to participate in an Annual General Meeting or a General Meeting of the Association convened under Part 5 of these Rules.

Entity is any organization recognized by the Association or by a State Association as being primarily involved in the sport of Pitch and Putt and may include a Club or commercial undertaking however constituted.

Financial year means the year ending on 30 June.

Member means a Constituent Member or Accredited Player of the Association as described in Rule 5.

Pitch and Putt is the sport of that name as recognized by the Federation of International Pitch and Putt Associations Inc.

Recognised Competition is a pitch and putt competition open to entry without qualification other than by age and/or gender that is recognized as such by the Association.

Recognised Entity is any entity that has paid, or has had paid on its behalf by a State Association, to the Association such fee for recognition as the Association may from time to time determine.

Representative is a person appointed to membership of the Board to represent a State Association or a Recognised Entity for so long as that person remains in that capacity.

Secretary means the person holding office under these rules as Secretary of the Association or, where no such person holds that office, the Public Officer of the Association.

State Association is a legally incorporated organization set up to represent, facilitate and coordinate the activities associated with Pitch and Putt of all entities in an Australian State or Territory that has been recognized as such by the Association.

The Act means the *Associations Incorporation Act 1991*

The Executive Committee is the Executive Committee of the Board as constituted by Rule 15.

The regulations means the *Associations Incorporation Regulations 1991* of the ACT *Associations Incorporation Act, 1991*.

3 Application of Legislation Act 2001

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

Part 2 – Objectives

4. Objectives of the Association

The objectives of the Association as set out in its certificate of incorporation are to:

- (1) create a framework for the membership of the Association by State and Territory Pitch and Putt associations and Recognised Entities;
- (2) organise and regulate national Pitch and Putt competitions;

- (3) promote Pitch and Putt throughout Australia;
- (4) embrace all in Pitch and Putt respecting gender, race, ability and age;
- (5) promote close cooperation with State, Territory and international Pitch and Putt organizations;
- (6) ultimately devise and facilitate implementation of a common Pitch and Putt handicap system;
- (7) regulate the entry of Australian teams into international competitions and to organise and select such teams; and
- (8) assist and promote the entry of Australians players into international competitions

Part 3 – Membership

5. Classes of Members

- (1) The classes of membership of the Association are-
 - a. Constituent Members; and
 - b. Accredited Players.
- (2) If so qualified, a member of one class of membership may also be a member of another class of membership.
- (3) A Constituent Member is a person who was a member of the Committee of the Association at the time the Association was incorporated in August 2006 and shall remain as such unless that person ceases to be a member as provided for herein.
- (4) An entity may become a Recognised Entity either by direct application to the Association or through a State Association and shall upon agreement to its recognition as a bona fide entity by the Association be liable for payment of the recognition fee as determined by the Association. The recognition fee may be paid on behalf of the entity by a State Association.
- (5) An Accredited Player is a member of a Recognised Entity and is entitled to attend general meetings of the Association as provided for in Rule 23(1)b.
- (6) The rights, privileges and entitlements of Accredited Players will be as determined from time to time by the Association.
- (7) Recognised Entities shall upon request by the Association, provide certification of their Entity's membership either by individual or in total, which certification will be accepted by the Association as conclusive evidence of a person's right to Accredited Player membership of the Association.

6 Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of any class of the Association—

- a. is not capable of being transferred or transmitted to another person; and
- b. terminates on cessation of the person's membership.

7 Cessation of membership

A person ceases to be a member of the Association or of the Board (as the case may be) if the person—

- a. dies or, in the case of a body corporate, is wound up; or
- b. resigns from membership of the Association or the Board or the Recognised Entity to which he has belonged; or
- c. is expelled from the Association or the Board or the Recognised Entity to which he has belonged; or
- d. fails to renew membership of the Recognised Entity to which he has belonged or if that entity ceases to be a Recognised Entity for whatever reason.

8 Fee, subscriptions etc

(1) The entrance fees and annual fees for Recognised Entities shall be as determined from time to time by resolution of the Board.

(2) The annual membership fee is payable—

a. except as provided by subrule b.—before 1 July in each calendar year for the financial year commencing on that date; or

b. where a fee becomes payable on or after 1 July in any year— when it becomes payable, provided that where the fee becomes payable between 1 January and 30 June, it shall for the remainder of that financial year be 50% of the annual fee.

9 Members' liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount (if any) unpaid by the member in respect of membership of the Association as required by Rule 10.

10 Disciplining of members

(1) Where the Board is of the opinion that a member of any class, including of the Board,—

a. has persistently refused or neglected to comply with a provision of these rules; or
b. has persistently and willfully acted in a manner prejudicial to the interests of the Association;

the Board may, by resolution—

c. expel the member from the Association; or

d. suspend the member from such rights and privileges of membership of the Association as the Board may determine for a specified period.

(2) A resolution of the Board under subrule (1) is of no effect unless the Board, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under subrule (3), confirms the resolution in accordance with this rule.

(3) Where the Board passes a resolution under subrule (1), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member—

a. setting out the resolution of the Board and the grounds on which it is based; and

b. stating that the member may address the Board at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice; and

c. stating the date, place and time of that meeting; and

d. informing the member that the member may do either or both of the following:

(i) attend and speak at that meeting;

(ii) submit to the Board at or prior to the date of that meeting written representations relating to the resolution.

(4) Subject to the Act, section 50, at a meeting of the Board mentioned in subrule (2), the Board shall—

(a) give to the member mentioned in subrule (1) an opportunity to make oral representations; and

(b) give due consideration to any written representations submitted to the Board by that member at or prior to the meeting; and

(c) by resolution determine whether to confirm or to revoke the resolution of the Board made under subrule (1).

(5) Where the Board confirms a resolution under subrule (4), the Secretary shall, within 7 days after that confirmation, by notice in writing inform the member of that confirmation and of the member's right of appeal under Rule 13.

(6) A resolution confirmed by the Board under subrule (4) does not take effect—

- a. until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
- b. where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution in accordance with Rule 13(4).

11 Right of appeal of disciplined member

(1) A member may appeal to the Association in general meeting against a resolution of the Board which is confirmed under Rule 12(4), within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.

(2) On receipt of a notice under subrule (1), the Secretary shall notify the Board which shall convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice or as soon as possible after that date.

(3) Subject to the Act, section 50, at a general meeting of the Association convened under subrule (2)—

- a. no business other than the question of the appeal shall be transacted; and
- b. the Board and the member shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
- c. the members present shall vote by secret ballot on the question of whether the resolution made under rule 12(4) should be confirmed or revoked.

(4) If the meeting passes a special resolution in favour of the confirmation of the resolution made under rule 12(4), that resolution is confirmed.

Part 4 – The Board

12 Powers of the Board

The Board, subject to the Act, the regulations, these rules, and to any resolution passed by the Association in general meeting—

- a. shall control and manage the affairs of the Association; and
- b. may exercise all such functions as may be exercised by the Association other than those functions that are required by these rules to be exercised by the Association in general meeting;
- c. has power to perform all such acts and do all such things as appear to the Board to be necessary or desirable for the proper management of the affairs of the Association, and
- d.(i) may conduct its business electronically either in writing or orally provided that any decisions on business so conducted are recorded by the Secretary in writing, and
(ii) the Board shall by resolution formulate and adhere to the procedures under which it will conduct business electronically, which procedures shall be consistent with the principles of Rule 18.

13 Constitution and membership

(1) The Board shall consist of—

- a. the Executive Committee; and
 - b. one member nominated by each State Association; and
 - c. one member nominated by each Recognised Entity; and
 - d. one member nominated by the Board to represent the Association on the Council of the Federation of International Pitch and Putt Associations;
- all of whom shall also be Accredited Players and each of whom shall come to office in accordance with subrules (2) to (9) hereunder.

(2) No member of the Board may combine the roles of Executive Committee member and Representative but any member of the Board may also be the Association's representative on the Council of the Federation of International Pitch and Putt Associations.

(3) The Executive Committee shall be—

- a. the President; and
- b. the Vice-President; and
- c. the Treasurer; and
- d. the Secretary.

(4) Any vacancy in the Executive Committee shall be filled by the Board following consultation with all State Associations and Recognised Entities for a term not exceeding 3 years.

(5) Members of the Executive Committee may be re-appointed but may not remain in the same office continuously for more than five years.

(6) Representatives of State Associations and Recognised Entities shall be appointed by the Board on the nomination of the relevant State Association or Recognised Entity for terms of up to 3 years;

(7) All Representatives shall, subject to Rule 8, hold office for the term of their appointment by the Board, at the expiration of which they shall be eligible for reappointment if so nominated, but may not hold office continuously for more than 5 years.

(8) The Board may at its discretion co-opt to membership of the Board with or without voting rights and for such terms up to 3 years as it may determine, up to 2 persons at any time who have special qualifications for assisting the Board to meet its objectives.

(9) The Board will seek, so far as it is able, to limit the number of changes in Board membership to no more than one third in any year.

14 Secretary

(1) The Secretary of the Association shall, as soon as practicable after being appointed as Secretary, notify the Association of his or her address.

(2) The Secretary shall keep minutes of—

- a. all elections and appointments of office-bearers and Board members; and
- b. the names of members of the Board present at a Board meeting or a general meeting;
- c. all proceedings at Board meetings and general meetings; and
- d. all decisions made on business conducted electronically.

(3) Minutes of proceedings at a meeting shall be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.

15 Treasurer

(1) The Treasurer of the Association shall—

- a. collect and receive all moneys due to the Association and make all payments authorised by the Association; and
- b. keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

16 Vacancies

(1) For these rules, a vacancy in the office of a member of the Board occurs if the member—

- a. dies; or

- b. ceases to be a member of the Association; or
- c. resigns the office; or
- d. is removed from office under rule 19; or
- e. becomes an insolvent under administration within the meaning of the Corporations Act; or
- f. suffers from mental or physical incapacity; or
- g. is disqualified from office under the Act, section 63 (1); or
- h. is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

17 Removal of Board members

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

18 Board meetings and quorum

(1) The Board shall meet in person or by telephonic conference at least once in each calendar year at such place and time as the Board may determine.

(2) Additional meetings of the Board may be convened by the Executive Committee either in person or by electronic means at such times as the Executive Committee may decide.

(3) Oral, electronic or written notice of a meeting of the Board shall be given by the Secretary to each member of the Board at least 48 hours (or such other period as may be unanimously agreed on by the members of the Executive Committee) before the time appointed for the holding of the meeting.

(4) Notice of a meeting given under subrule (3) shall specify the general nature of the business to be transacted at the meeting

(5) Any 4 members of the Board, including at least 2 members of the Executive Committee, constitute a quorum for the transaction of the business of a meeting of the Board.

(6) No business shall be transacted by the Board unless a quorum is present and, if within half an hour after the time appointed for the meeting a quorum is not present, the meeting stands adjourned to a time and place to be determined by the Board.

(7) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting shall be dissolved and the Executive Committee may thereupon make such decisions as may be necessary on urgent matters, for report to the next meeting of the Board.

(8) At meetings of the Board—

- a. the President or, in the absence of the President, the Vice-President shall preside;

or

- b. if the President and the Vice-President are absent—1 of the remaining members of the committee may be chosen by the members present to preside.

19 Delegation by Board to Executive Committee

(1) The Board may, by instrument in writing, delegate to the Executive Committee the exercise of such of the functions of the Board as are specified in the instrument, other than—

- a. this power of delegation; and

- b. a function which is a function imposed on the Board by the Act, by any other Territory law, or by resolution of the Association in general meeting.

- (2) A function, the exercise of which has been delegated to the Executive Committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the Executive Committee in accordance with the terms of the delegation.
- (3) A delegation under this rule may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Notwithstanding any delegation under this rule, the Board may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by the Executive Committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Board.
- (6) The Board may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) The Executive Committee may meet and adjourn as it thinks proper.

20 Voting and decisions

- (1) Questions arising at a meeting of the Board or of the Executive Committee shall be determined by a majority of the votes of members present at the meeting.
- (2) Each member present at a meeting of the Board or of the Executive Committee is entitled to 1 vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to rule 20(5), the Board may act notwithstanding any vacancy on the Board.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Board or by the Executive committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Board or Executive Committee.

Part 5 - General meetings

21 Annual general meetings—holding of

- (1)a. With the exception of the first annual general meeting of the Association, the Association shall, at least once in each calendar year and within the period of 5 months after the expiration of each financial year of the Association, convene an annual general meeting at which the Constituent and Board members shall be eligible to participate.
- b. Accredited Players shall be eligible to attend annual general meetings and to speak once to any item of business moved by an eligible participant that is before the meeting but not to participate otherwise in the meeting.
- (2) The Association shall hold its first annual general meeting—
 - a. within the period of 18 months after its incorporation under the Act; and
 - b. within the period of 5 months after the expiration of the first financial year of the Association.

(3) Subrules (1) and (2) have effect subject to the powers of the Registrar-General under the Act, section 120 in relation to extensions of time.

22 Annual general meetings—calling of and business at

- (1) The annual general meeting of the Association shall, subject to the Act, be convened on such date and at such place and time as the Board thinks fit.
- (2) In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting shall be—

- a. to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting; and
- b. to receive from the Board reports on the activities of the Association during the last preceding financial year; and
- c. to receive and consider the statement of accounts and the reports that are required to be submitted to members under the Act, section 73 (1).

(3) An annual general meeting shall be specified as such in the notice convening it in accordance with Rule 26.

(4) An annual general meeting shall be conducted in accordance with the provisions of this part.

23 General meetings—calling of

1) a. The Board may, whenever it thinks fit, convene a general meeting at which the Constituent and Board members shall be eligible to participate.

b. Accredited Players shall be eligible to attend general meetings and to speak once to any item of business moved by an eligible participant that is before the meeting but not to participate otherwise in the meeting.

(2) The Board shall, on the requisition in writing of not less than one Constituent member, 3 Board members or 15 or more Accredited Players, convene a general meeting.

(3) A requisition for a general meeting—

- a. shall state the purpose or purposes of the meeting;
- b. shall be signed by the members making the requisition;
- c. shall be lodged with the Secretary; and
- d. may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.

(4) If the Board fails to convene a general meeting within 1 month after the date on which a requisition for the meeting is lodged with the Secretary, any 1 or more of the Constituent members, 3 Board members or 15 or more Accredited Players who made the requisition may convene a general meeting to be held not later than 3 months after that date.

(5) A requisitioned general meeting shall be convened as nearly as is practicable in the same manner as general meetings are convened by the Board and any Constituent, Board or Accredited Player member who thereby incurs expense is entitled to be reimbursed by the Association for any reasonable expense so incurred.

24 Notice

(1) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by prepaid post or electronically to each Constituent and Board member and to each Recognised Entity a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

(2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each Constituent and Board member and to each Recognised Entity in the manner provided in subrule (1) specifying, in addition to the matter required under that subrule, the intention to propose the resolution as a special resolution.

(3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under Rule 24(2).

(4) Any 15 or more Accredited Players desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

(5) For the purposes of these Rules, each Constituent and Board member and Recognised Entity shall provide the Secretary with an email address to which notices may be directed, and should the member fail to provide such an address, the Secretary shall direct notices to that member by such means as he considers reasonable and appropriate.

25 General meetings—procedure and quorum

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

(2) Five eligible participants present in person (being not less than one Constituent, and three Board members including one member of the Executive Committee entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

(3) If within 30 minutes after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened on the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

(4) If at the adjourned meeting a quorum is not present within 30 minutes after the time appointed for the commencement of the meeting, the members present (being not less than 3, comprising at least 1 from each class of membership) shall constitute a quorum.

26 Presiding member

(1) The President, or in the absence of the President, the Vice-President, shall preside at each general meeting of the Association.

(2) If the President and the Vice-President are absent from a general meeting, the members present shall elect 1 of their number to preside at the meeting.

27 Adjournment

(1) The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(2) Where a general meeting is adjourned for 14 days or more, the Secretary shall give written or oral notice of the adjourned meeting to each Constituent and Board member and Recognised Entity stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

(3) Except as provided in subrules (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

28 Making of decisions

(1) A question arising at a general meeting of the Association shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

(2) At a general meeting of the Association, a poll may be demanded by the person presiding or by not less than 3 eligible participants present in person at the meeting.

(3) Where the poll is demanded at a general meeting, the poll shall be taken—

- a. immediately in the case of a poll which relates to the election of the person to preside at the meeting or to the question of an adjournment; or
- b. in any other case, in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

29 Voting

(1) Subject to subrule (3), on any question arising at a general meeting of the Association an eligible participant has 1 vote only.

(2) All votes shall be given personally or by proxy but no eligible participant may hold more than 3 proxies.

(3) In the case of an equality of votes on a question at a general meeting, the person presiding is entitled to exercise a second or casting vote.

(4) A member or proxy is not entitled to vote at any general meeting of the Association unless all money not reasonably disputed due and payable by the member or proxy to the Association has been paid.

30 Appointment of proxies

(1) Each eligible participant shall be entitled to appoint with their agreement another eligible participant as proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

(2) The notice appointing the proxy shall be in writing.

Part 6 – Miscellaneous

31 Competitions

(1) The Association will draw up and implement an annual program of Competitions.

(2) In implementing National Competitions, the Association will provide all State Associations and Recognised Entities, with the opportunity to compete for the hosting of each such competition on terms it notifies in advance and will negotiate with interested State Associations/entities the respective responsibilities under which the competitions will be conducted.

(3) Recognised Competitions will be identified as part of the annual Australian Pitch and Putt Program and will be promoted and publicised as such by the Association. A fee as determined by the Association may be levied on the organizers of Recognised Competitions.

32 Anti-doping policy

(1) The Association supports the anti-doping policy of the Australian Sports Commission (ASC) and joins it in condemning the use of prohibited substances and

methods in sport. It agrees that the use of prohibited substances and methods is contrary to the ethics of sport and potentially harmful to the health of Athletes.

(2) It endorses the ASC policy that the only legitimate use of prohibited substances and methods is under the supervision of a physician for a clinically justified purpose.

33 Funds—source

(1) The funds of the Association shall be derived from membership entrance fees and annual subscriptions, competition entrance fees, donations, sponsorships, Recognized Competition promotion fees and, subject to any resolution it passes and to the Act, section 114, such other sources related to the Objects of the Association as the Board may determine.

(2) All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.

(3) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

34 Funds—management

(1) Subject to any resolution passed by the Board, the funds of the Association shall be used for the objects of the Association in such manner as it determines.

(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by the Treasurer, and any member of the Board so authorised to do so by the Board.

35 Alteration of objects and rules

Neither the objects of the Association referred to in the Act, section 29 nor these rules shall be altered except in accordance with the Act.

36 Common seal

(1) The common seal of the Association shall be kept in the custody of the Secretary.

(2) The common seal shall not be affixed to any instrument except by the authority of the Board and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the Secretary.

37 Custody of books

Subject to the Act, the regulations and these rules, the Secretary shall keep in his or her custody or under his or her control all records, books, and other documents relating to the Association.

38 Inspection of books

The records, books and other documents of the Association shall, subject to reasonable notice, be open to inspection at a place in the ACT, free of charge, by a member of the Association at any reasonable hour.

39 Service of notice

(1) For these rules, a notice may be served by or on behalf of the Association on any member either personally or by sending it by post to the member at the member's address, electronic or other, shown in the register of members.

(2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.**40**

Surplus property

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

a. another Association for the Act, section 92 (1) (a); or

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

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

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