



ASSOCIATIONS INCORPORATION ACT 1981

**RULES OF
UNIVERSITY OF SUNSHINE COAST BARBARIANS RUGBY CLUB INC**

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1 NAME OF THE ASSOCIATION

- 1.1 The name of the Association is **University of Sunshine Coast Barbarians Rugby Club Inc.**
- 1.2 The playing name of all teams playing within the Association shall be "The Barbarians"
- 1.3 The 'Mascot' of the Association shall be known as 'Argyle'

2 DEFINITIONS

In these rules, unless the contrary intention appears:

- (a) **'Act'** means the Associations Incorporation Act 1981
- (b) **'Amalgamation Date'** is the date this constitution comes into effect, and a reference to this Association being an amalgamation of the Junior Club and Senior Club
- (c) **'Annual general meeting'** is the meeting convened under rule 25.2
- (d) **'Association'** and **'Club'** are both a reference to the Association referred to in rule 1.1
- (e) **'Ballot'** means voting conducted in written form (as opposed to a show of hands)
- (f) **'Committee'** means the Management Committee of the Association referred to in rule 12
- (g) **'Committee meeting'** means a meeting referred to in rule 24
- (h) **'Committee member'** means person referred to in rule 12.1
- (i) **'Department'** means the government department with responsibility for administering the Associations Incorporation Act (1981)
- (j) **'Financial year'** means a period commencing 1 November and ending 31st October in the following year;
- (k) **'General meeting'** means a meeting to which all members are invited and provided for in rule 25.1.
- (l) **'Junior Club'** means the incorporated association "University of Sunshine Coast Junior Rugby Union Club Inc". The Junior Club is being superseded by this Association, formed due to the amalgamation of the Junior Club and Senior Club
- (m) **'Ordinary resolution'** means resolution other than a special resolution
- (n) **'Registered senior player'** means a player who has:
 - (i) attained the age of eighteen (18) years;
 - (ii) completed and signed the designated registration form; and
 - (iii) paid the prescribed annual registration fees
- (o) **'Registered junior player'** means a player who:
 - (i) is under the age of eighteen (18) years
 - (ii) has completed the designated registration form
 - (iii) has the registration form signed by a parent or guardian
 - (iv) has had the prescribed annual registration fees paid on their behalf

- (p) **'Special general meeting'** means a general meeting other than the annual general meeting;
- (q) **'Senior Club'** means a reference to this Association prior to the Amalgamation Date;
- (r) **'Surplus Assets'** is defined by section 92(3) of the Act.

3 OBJECTS

3.1 The objects of the Club are:

- (a) To encourage, promote and grow the game of Rugby Union throughout the Sunshine Coast and to act in the best interests of the game at all times.
- (b) To promote the game of Rugby Union as a sporting and cultural activity amongst the students of the University of the Sunshine Coast and the local community.
- (c) To develop a Rugby community within the University of the Sunshine Coast and surrounding areas, that includes:
 - (i) Junior players (both male and female) across all age groups;
 - (ii) Senior players (both male and female);
 - (iii) The parents, friends and supporters of all senior and junior players;
 - (iv) The coaching and management staff of all teams;
 - (v) Members of the committee;
 - (vi) Students and representatives of the University of the Sunshine Coast.
- (d) To develop and improve the rugby playing skills of all players.
- (e) To promote the values of good sportsmanship within players, supporters and the rugby community.
- (f) To participate in the Sunshine Coast Rugby Union club competition and/or any other Club Rugby competition as determined by the committee from time to time.
- (g) To play rugby games against other clubs from within those competitions, across all age groups.
- (h) To encourage and develop rugby pathways between the Club and local schools and their students.
- (i) To organise and participate in Rugby tours.

3.2 The property and income of the Club shall be applied solely towards the promotion of these objects and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.

4 POWERS

4.1 The powers conferred on the Association are the same as those conferred by Part 3 of the Act, so that the Club may do all things necessary or convenient for carrying out its objects, and in particular, may:

- (a) acquire, hold, deal with, and dispose of any real or personal property;
- (b) construct and maintain any buildings, grounds or other works;
- (c) open and operate bank accounts;
- (d) make charges for services and facilities it supplies;
- (e) invest its money;
- (f) borrow money and provide security;
- (g) appoint, employ and pay agents or persons to transact any business on its behalf;
- (h) enter into contracts;
- (i) raise funds by sponsorship, subscription, fees, fines, grants or any other means;
- (j) carry on any business as approved by the committee for the benefit of the Club, providing it is not for personal profit;
- (k) obtain licences under any relevant liquor, gaming and betting legislation, and appoint a licensee to act on behalf of the Club;
- (l) conduct and maintain a social club to cater for all levels of members.

4.2 If the Club obtains a license to sell liquor, the Club is prohibited from paying any person a commission or allowance that is calculated by reference to the quantity of liquor sold, or the amount of revenue from the liquor sold.

4.3 If any player, member or affiliated club or association acts in any way detrimental to the Club, or in breach of these rules (or By-Laws created pursuant to these rules), the Club may:

- (a) suspend or terminate their membership;
- (b) suspend or terminate their affiliation;
- (c) impose fines;
- (d) ban the person from using Club facilities or property.

4.4 The Club shall have the power to make, alter or delete regulations or by-laws provided they are consistent with the objectives of the Club.

4.5 In recognition of this Association being an amalgamation of the Junior Club and the Senior Club, the Association may take over the bank accounts, funds, assets and liabilities of the Junior Club and the Senior Club.

5 MEMBERSHIP

5.1 The membership of the Association consists of:

- (a) Ordinary Members
- (b) Foundation Members
- (c) Life Members

- (d) Social or Associate Members
- (e) Honorary Members
- (f) Corporate Members

5.2 Every person who was a member of the Senior Club and Junior Club at the Amalgamation Date, shall retain the same class of membership and will not be required to pay any further subscription, until the next due date for payment of that subscription.

5.3 An '**Ordinary Member**' of the Club is:

- (a) Any Registered Senior Player ;
- (b) Any parent or guardian who signs the registration form on behalf of any Registered Junior Player, subject to completion of a separate membership form and the provisions of Rule 5.3(d) below.
- (c) Any person who holds the position of coach, manager or trainer with any rugby team within the Club;
- (d) Any person who is committed to the objectives of the Club and has applied for in writing, and been accepted by the Management Committee as an Ordinary Member;
- (e) Any person who holds a position on the Management Committee of either the Senior or Junior Club at the time of the Amalgamation or who are members of the University of Sunshine Coast Barbarians.

5.4 '**Foundation Member**' status may be granted by the Management Committee to any person associated with the club at the Amalgamation Date, and entitles the person to ten (10) years membership upon payment of a fee determined by the Management Committee at time of amalgamation. Foundation Membership shall be available on a once only basis during the year of amalgamation in 2013.

5.5 '**Life Member**' status may be granted to any player or person who has rendered 'long and conspicuous service' over a ten (10) year period, or such other time as may be determined by the Management Committee from time to time, to the Club (including service to the Senior Club and Junior Club) in a playing, coaching and/or administrative capacity. Nominations for life membership will be considered as follows:

- (a) The Management Committee shall appoint a panel of at least three (3) members to determine nominations for life membership. The panel will include a Management Committee member and an existing Life Member;
- (b) The panel will create a list of people eligible for Life Membership and present this list to a meeting of existing Life Members. As a result of this meeting, other eligible people may be added to the list or removed from the list;
- (c) The panel will submit their recommendations for Life Membership to the Management Committee. The Management Committee will make their own final recommendations to a Special General Meeting;
- (d) The appointment of Life Member status requires a majority vote of at least four-fifths (4/5) of all members present and voting at a Special General Meeting. Voting may be by secret ballot. The Special General Meeting must be held at least six (6) weeks after the meeting of existing Life Members as described in Rule 5.5(b);
- (e) One(1) Life Member shall be entitled to be appointed as a Life Member Representative on the Management Committee each year.

Life Members are entitled to all rights and privileges of the Club for life, without payment of any subscription fees, and are entitled to attend and vote at all meetings of the club.

- 5.6 **'Social or Associate Member'** status may be granted by the Management Committee to any person who is not a player, and not actively involved in the operations of the Club, but who wishes to be involved with the Club and participate in activities consistent with the objectives of the Club.

A person who wishes to become an Associate Member must apply to the Management Committee in writing.

- 5.7 **'Honorary Member'** status may be granted by the Management Committee to any visitor or guest of the Club for the duration of their visit. This is a temporary membership for:

- (a) visiting rugby players and supporters for the duration of their matches or carnival;
- (b) guests attending Club functions for the duration of the function.

Honorary Members shall not be entitled to vote at any meetings of the Association, and shall not receive a copy of the Annual Report, and their membership may be terminated by the Management Committee at any time.

- 5.8 **'Corporate Member'** status may be granted by the Management Committee to any corporation for substantial donations or sponsorship of the Club.

Corporate Members shall not be entitled to vote at any meetings of the Association, unless they qualify to do so under the provisions for Ordinary Membership.

- 5.9 The Annual Membership period for all ordinary members of the Association, shall be from the 1st March in the year in which they join/rejoin, until the last day in February of the following year.

- 5.10 There is no limit on the number of members in any category listed above.

- 5.11 Unless expressly excluded above, all categories of members are entitled to attend and vote at all meetings of the Association.

6 REGISTER OF MEMBERS

- 6.1 The Management Committee must keep a register of members of the Club that includes the following details:

- (a) Full name
- (b) Postal or residential address
- (c) Telephone number(s) and email address
- (d) The date of acceptance or admission
- (e) Details about the termination or reinstatement of membership
- (f) Any other particulars the Management Committee or the members at a General Meeting decide

- 6.2 The register may be held in soft copy only (electronic). There is no requirement to keep a hard copy (paper) register.

- 6.3 Subject to any Privacy Laws, the Register must be open for inspection by members of the Club at all reasonable times, and a member must contact the Secretary to arrange an inspection of the Register.
- 6.4 The Secretary must cause the name of a person who dies or who ceases to be a member to be deleted from the Register.
- 6.5 A member of the Club must not, without approval by the Management Committee:
- (a) use information obtained from the register of members to contact, or send material to, another member for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member for the purpose of advertising for political, religious, charitable or commercial purposes.

7 REGISTER OF JUNIOR PLAYERS

The club will maintain a register of all registered junior players that includes the following details:

- (a) Full name
- (b) Postal or residential address
- (c) Email
- (d) Name and full contact details of the parent or guardian who is the current member of the association.

8 MEMBERSHIP AND REGISTRATION FEES

- 8.1 Each financial year, the Management Committee will determine the amount of:
- (a) the annual registration fee to be paid by a registered senior player
 - (b) annual registration fee to be paid by a registered junior player
 - (c) the annual membership fee for any person who has applied to become an ordinary or associate member of the club
- 8.2 The Management Committee will determine when and how each registration and membership fee is payable.
- 8.3 The Management Committee may waive the need to pay membership fees or registration fees on an individual basis.

9 REQUESTS FOR MEMBERSHIP

- 9.1 Any written request for membership under rule 5 must be considered at the next Management Committee Meeting after the request has been received, and a decision must be made whether to accept or reject the membership.
- 9.2 If a majority of the Management Committee present at the meeting vote to accept the request for membership, the person must be accepted as a member in the requested class, provided the membership fees are paid as determined by rule 8.

- 9.3 The Secretary will advise the person in writing:
- (a) of the Management Committee decision regarding the membership request, and
 - (b) if applicable, the amount of membership fees payable and how they should be paid.

10 TERMINATION OF MEMBERSHIP

- 10.1 A member may resign their membership by giving written notice of resignation to the Secretary. This cancellation takes effect at:
- (a) The time the notice is received by the Secretary; or
 - (b) A later time if specified in the notice.
- 10.2 The Management Committee may terminate a membership if the member:
- (a) Is convicted of an indictable offence; or
 - (b) Does not comply with any provisions of these rules; or
 - (c) Has membership or registration fees in arrears for at least two (2) months; or
 - (d) Conducts themselves in a manner detrimental to the interests of the Club and the objects of the Club as stated in Rule 3.
- 10.3 Before the Management Committee terminates a membership, the member must be given full and fair opportunity to show why the membership should not be terminated.
- 10.4 The Secretary will advise the person in writing of the Management Committee decision regarding the termination of the membership.

11 MEMBERSHIP APPEALS

- 11.1 A person whose request for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of their intention to appeal the decision. A notice of intention to appeal must be given within one (1) month after the person receives written notice of the decision.
- 11.2 If the secretary receives a notice of intention to appeal, the secretary must, within one (1) month after receiving the notice, call a general meeting to decide the appeal.
- 11.3 The general meeting to decide the appeal must be held within three (3) months after the secretary receives the notice of intention to appeal.
- 11.4 At the meeting:
- (a) the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated; and
 - (b) the management committee and the members of the committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.

- 11.5 An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting. The vote may be by secret ballot.
- 11.6 If a person whose application for membership has been rejected does not appeal against the decision within one (1) month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the membership fee paid by the person.

12 MANAGEMENT COMMITTEE

- 12.1 The Association will be managed exclusively by a Management Committee, consisting of the following people:
- (a) President
 - (b) Vice President
 - (c) Rugby Manager - Seniors
 - (d) Rugby Manager - Juniors
 - (e) Treasurer
 - (f) Secretary
 - (g) Operations Manager
 - (h) Marketing Manager
 - (i) Director of Rugby
- 12.2 Committee members must be elected to membership of the Committee at an annual general meeting or appointed under rule 13.3.
- 12.3 A Committee member's term will be from their election at an annual general meeting until the next annual general meeting after their election.
- 12.4 To be eligible for election to membership of the Management Committee, a person (candidate):
- (a) must be a member of the Association;
 - (b) must not be ineligible under 61A of the Act;
 - (c) be nominated for election by any two current members (proposer & seconder) of the Association.
- 12.5 Prior to the Annual General Meeting:
- (a) Nominations for positions must be must be given to the Secretary at least fourteen (14) days prior to the Annual General Meeting. Nominations must be in writing and signed by the proposer, seconder, and candidate.
 - (b) The Secretary will publicise the list of nominations, naming the candidates and proposers& seconders, at least seven (7) days prior to the meeting.
- 12.6 At the Annual General Meeting:
- (a) All Committee Member positions will be declared vacant.
 - (b) Candidates are advised whether the Association has public liability insurance, and if so, the amount of the insurance;

- (c) If no candidates have nominated for a Committee Member position, nominations and seconders, may be taken from the floor of the meeting;
- (d) Each member present and eligible to vote at the Annual General Meeting may vote for one (1) candidate for each vacant position.

13 CASUAL VACANCIES IN MANAGEMENT COMMITTEE

- 13.1 A casual vacancy occurs in the office of a Committee member and that office becomes vacant if the Committee member:
- (a) Dies
 - (b) Resigns by giving written notice to the Secretary (or if the person resigning is the Secretary, to the President) and that resignation is accepted by the Committee
 - (c) Is permanently incapacitated by mental or physical ill-health
 - (d) Is absent from more than:
 - (i) Three (3) consecutive Committee meetings; or
 - (ii) Three Committee meetings in the same financial year without tendering an apology to the person presiding at each of those Committee meetingsof which the member received notice, and the Committee has resolved to declare the position vacant.
 - (e) Ceases to be a member of the Association
 - (f) Is the subject of a resolution passed at a general meeting of members terminating their appointment as a Committee Member
 - (g) Contravenes any other circumstances mentioned in section 64(2) of the Act.
- 13.2 Before a vote of members is taken at a General Meeting to terminate a members appointment as a Committee Member, the member must be given a full and fair opportunity to show cause why they should not be removed from office. A member has no right of appeal against the member's removal from office at a General Meeting.
- 13.3 If a position on the Management Committee becomes vacant, the continuing members of the Management Committee may appoint another member of the Association to fill the vacancy until the next Annual General Meeting. The continuing members of the Management Committee may act despite the vacancy.
- 13.4 If the number of committee members is less than the number fixed under rule 24.5 as a quorum of the Management Committee, the continuing members may act only to:
- (a) Increase the number of Management Committee members to the number required for a quorum; or
 - (b) Call a General Meeting of the Association.

14 SECRETARY

- 14.1 The Management Committee will ensure sections 65 and 66 of the Act are complied with to ensure a Secretary is elected or appointed at all times and that the Secretary is an appropriate person.
- 14.2 In accordance with section 69A of the Act the Secretary must:

- (a) Call meetings of the Association, preparing notices of meetings and the agenda for meetings in consultation with the President;
- (b) keep full and correct minutes of each Committee Meeting and General Meeting;
- (c) keep copies of all correspondence and other documents relating to the association;
- (d) maintain the Associations register of members;
- (e) maintain a register of By-Laws;
- (f) perform such other duties as stated by the Association.

15 TREASURER

The Treasurer must:

- (a) be responsible for the receipt of all monies paid to or received by the Association and must issue receipts for those monies in the name of the Association;
- (b) pay all monies referred to in paragraph (a) into such account or accounts of the Association as the Committee may from time to time direct;
- (c) make payments from the funds of the Association ensuring that all cheques are signed by at least one other authorised Committee member, or by any two others as are authorised by the Committee;
- (d) keep such accounting records as correctly record and explain the financial transactions and financial position of the Association;
- (e) keep accounting records in a manner as will enable true and fair accounts of the Association to be prepared from time to time;
- (f) keep accounting records in a manner as will enable true and fair accounts of the Association to be conveniently and properly audited;
- (g) at each annual general meeting of the Association, submit accounts showing the financial position of the Association at the end of the immediately preceding financial year;
- (h) whenever directed to do so by the President, submit to the Committee a report, balance sheet or financial statement in accordance with that direction;
- (i) unless the members resolve otherwise at a general meeting, have custody of all securities, books and documents of a financial nature and accounting records of the Association;
- (j) perform such other duties as stated by the Association.

16 VICE PRESIDENT

The Vice President will be responsible for providing assistance and support for the President in the management, administration, marketing and development of USC Rugby Club, as well as support for all Management Committee positions, and to carry out any duties allocated by the Management Committee.

17 RUGBY MANAGER - SENIORS

- 17.1 The Rugby Manager - Seniors will be responsible for the overall management, administration and development of Senior rugby at the Club including:

- (a) representing the Senior section of the Club on the Management Committee, in all matters;
- (b) representing the USC Rugby Club at all SCRU Senior Committee Meetings and Annual General Meetings;
- (c) organising and managing a competition sub-committee for the Senior competition;
- (d) acting as chairperson for the sub-committee meetings;
- (e) budget proposals and spending for the Senior competition;
- (f) reporting to the Management Committee on all operational matters for the Senior competition;
- (g) organising home games.

18 RUGBY MANAGER JUNIORS

- 18.1 The Rugby Manager Juniors will be responsible for the overall management, administration and development of junior rugby at the Club including:
- (a) representing the Junior section of the Club on the Management Committee, in all matters;
 - (b) representing the USC Rugby Club at all SCRU Junior Committee Meetings and Annual General Meetings;
 - (c) organising and managing a competition sub-committee for the Junior competition;
 - (d) acting as the chairperson for the sub-committee meetings;
 - (e) budget proposals and spending for the Junior competition;
 - (f) reporting to the Management Committee on all operational matters for the Junior competition;
 - (g) organising home games.

19 PRESIDENT

- 19.1 The President shall be responsible for chairing the Management Committee to ensure:
- (a) the overall administration, marketing and development of the Association;
 - (b) the management of all assets of the Association;
 - (c) ensuring the objects of the Association are complied with;
 - (d) leading the Management Committee in the management administration, marketing and development of USC Rugby Club, as well as in the general control and management of the affairs, property and funds of the Association, and the day to day running of the Club in keeping with its overall objectives.

20 OPERATIONS MANAGER

In conjunction with the President, the Operations Manager shall have the following responsibilities:

- (a) preparation and submission of Grants Applications as approved by the Management Committee;
- (b) arrange communication and meetings with USC representatives as requested by Management Committee;

- (c) any operational duties as agreed to by Management Committee.

21 MARKETING MANAGER

In conjunction with the President, the Marketing Manager shall have the following responsibilities:

- (a) presentation of a budget each year to the Management Committee in respect of his activities;
- (b) arrange for appropriate publicity and promotion of the Club's activities, including development of plans for the marketing of the Club to the general community;
- (c) supervise all liaison with the media;
- (d) develop strategic plans for such fundraising as may be considered appropriate for the Club;
- (e) develop a co-ordinated plan for the production of club clothing;
- (f) attend and present a report to each Management Committee meeting.

22 DIRECTOR OF RUGBY

In conjunction with the President the Director of Rugby will oversee the preparation and training of all coaches in the club to ensure:

- (a) team standards are consistent with the values of the game in consultation with the Team Managers, players and support volunteers;
- (b) a process to identify and develop talented players through the club and beyond is established;
- (c) the club is promoted to potential players;
- (d) a philosophy and game plan that recognise the teams' strengths are established;
- (e) a process to implement across the whole club programmes optimise fitness and conditioning, prevent and evaluate injuries, coordinate and implement recovery sessions;
- (f) a transparent selection process for all teams;
- (g) the planning of training sessions to meet teams and individual players needs;
- (h) all players receive a clear and honest appraisal of their performance;
- (i) a report is prepared annually at the direction of the Management Committee that evaluates the selection criteria, game plan, strategies and player progression.

23 FUNCTIONS OF MANAGEMENT COMMITTEE

23.1 The Management Committee will have the overall responsibility for the management, administration, marketing and development of USC Rugby Club, as well as for the general control and management of the affairs property and funds of the Association and the running of the Club in line with its objects.

This includes the appointment of coaching and management positions for each team within the Club.

- 23.2 The Management Committee has authority to interpret the meaning of these rules and any matter relating to the Association relating to the Association on which the rules are silent, but any interpretation must have regard to the Act.
- 23.3 The Management Committee may exercise the powers of the Association as defined by rule 4.

24 COMMITTEE MEETINGS

- 24.1 The Management Committee must meet at least once each calendar month from February to October each year, and at least once during the three (3) month period from November to January.
- 24.2 A Committee member may participate in a meeting by using any technology that allows the member to hear and take part in discussions (eg telephone). This constitutes the Committee member being present at the meeting.
- 24.3 A question arising at a Committee meeting is decided by a majority vote of those members present at the meeting, and if the votes are equal, the question is decided in the negative.
- 24.4 A Committee member must not vote on a question about a contract or proposed contract with the Association if the member has an interest in the contract or proposed contract, and if the member does vote it must not be counted.
- 24.5 To form a quorum at a Management Committee meeting more than 50% of the Committee members must be present. If there is no quorum within 30 minutes of the meeting start time:
- (a) The meeting is to be adjourned for at least one (1) day
 - (b) The members present will decide the date, time and location of the next meeting.
- 24.6 If, at an adjourned meeting mentioned in rule 24.5, there is no quorum within thirty (30) minutes of the start time, the meeting lapses.
- 24.7 The President is to preside as chairperson of the Management Committee meetings. If the President is not present within 10 minutes of the meeting start time, the members may choose any person present to preside as chairperson.
- 24.8 The Secretary is responsible for keeping minutes of the meeting as provided in rule 14.2.
- 24.9 To ensure the accuracy of the minutes, the minutes of each management committee meeting must be provided to the Management Committee (eg email or other soft copy) within seven (7) days of the meeting. There is no requirement to hold the minutes in hard copy (paper) or to have the minutes signed.

25 GENERAL MEETINGS

General Meetings

- 25.1 The first General Meeting of the Association must be held at least one (1) month, but no more than three (3) months after the Amalgamation Date.
- 25.2 The Secretary must call an Annual General Meeting at least once per year, and within six (6) months of the end of the financial year.
- 25.3 The following business must be conducted at each Annual General Meeting:
- (a) receiving the Presidents Report

- (b) receiving the Treasurers Report, Financial Statement, and Audit Report for the last reportable financial year.
- (c) presenting the Financial Statement Audit Report to the meeting for adoption
- (d) electing members of the Management Committee
- (e) appointing an auditor and/or accountant for the present financial year.

Special General Meetings

25.4 The Secretary must call a Special General Meeting within fourteen (14) days after:

- (a) being directed to call the meeting by the Management Committee
- (b) receiving a written request for the meeting signed by:
 - (i) at least one third of the members of the Management Committee; or
 - (ii) at least, the number of Ordinary Members of the Association equal to double the number of Committee Members when the request is signed, plus one. (eg if there are 7 Committee members it must be signed by at least 15 Ordinary Members)
- (c) being given a written notice of intention to appeal against the decision of the Management Committee:
 - (i) to reject an application for membership (rule 9)
 - (ii) to terminate a person's membership (rule 10.2)

25.5 A request mentioned in 25.4(b) must state:

- (a) why the Special General Meeting is being called; and
- (b) the business to be conducted at the meeting

25.6 A special general meeting must be held within three (3) months of the Secretary being required to call the meeting as outlined in rule 25.4.

Calling a Meeting

25.7 If the Secretary is unwilling or unable to call a General Meeting, the President must call the meeting.

25.8 Members must be given at least fourteen (14) days notice of any General Meeting.

25.9 The Management Committee may decide the way in which notice must be given, however notice of the following meetings must be given in writing:

- (a) a meeting called to hear and decide the appeal of a person against the Management Committee's decision:
 - (i) to reject the person's request for membership of the Association (rule 9)
 - (ii) to terminate the person's membership of the Association (rule 10.2)
- (b) a meeting called to hear and decide a proposed special resolution of the Association

25.10 A notice of a General Meeting must state the business to be conducted at the meeting

Quorum for, and Adjournment, of a General Meeting

USC BARBARIANS RUGBY CLUB CONSTITUTION

- 25.11 The quorum for a General Meeting is double the number of Committee Members at the close of the last General Meeting, plus one (1). However, if all members of the Association are Committee Members, the quorum is the total number of members, less one (1).
- 25.12 No business may be conducted at a General Meeting unless there is a quorum of members when the meeting proceeds to business.
- 25.13 For a General Meeting called on the request of members of the Management Committee or the Association, if there is no quorum within 30 minutes after the start time for the meeting, the meeting lapses.
- 25.14 For a General Meeting called other than on the request of members of the Management Committee or the Association, if there is no quorum within thirty (30) minutes after the start time for the meeting:
- (a) the meeting is to be adjourned for at least seven (7) days; and
 - (b) the management committee is to decide the day, time and place of the adjourned meeting.
- 25.15 The chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- 25.16 If a meeting is adjourned under rule 25.15, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- 25.17 The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least thirty (30) days.
- 25.18 If a meeting is adjourned for at least thirty (30) days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

Procedure at General Meeting

- 25.19 A member may take part and vote in a general meeting in person, by proxy, by attorney or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- 25.20 A member who participates in a meeting as mentioned in sub rule (2) is taken to be present at the meeting.
- 25.21 At each general meeting:
- (a) the president is to preside as chairperson; and
 - (b) if there is no president or if the president is not present within fifteen (15) minutes after the time fixed for the meeting or is unwilling to act, the members present must elect 1 person present to be chairperson of the meeting; and
 - (c) the chairperson must conduct the meeting in a proper and orderly way.

Voting at General Meeting

- 25.22 At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present.
- 25.23 Each member present and eligible to vote is entitled to one (1) vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote. The following classes of membership only are entitled to vote at a General Meeting:

- (a) Ordinary Member
- (b) Life Member
- (c) Foundation Member

- 25.24 A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.
- 25.25 The method of voting is to be decided by the Management Committee. However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.
- 25.26 If a secret ballot is held, the chairperson must appoint two (2) members to conduct the secret ballot in the way the chairperson decides.
- 25.27 The result of a secret ballot, as declared by the chairperson, is taken to be a resolution of the meeting at which the ballot was held.

Minutes of General Meeting

- 25.28 The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are recorded.
- 25.29 If asked by a member of the association, the secretary must, within 28 days after the request is made give the member copies of the minutes of the meeting.

26 PROXIES

- 26.1 An instrument appointing a proxy must be in writing and be in the following or similar form:

<p>University of Sunshine Coast Barbarians Rugby Club Inc:</p> <p>I, _____ of _____, being a member of the association, appoint _____ of _____ as my proxy to vote for me on my behalf at the (annual) general meeting of the association, to be held on the _____ day of _____ 20 ____ and at any adjournment of the meeting.</p> <p>Signed this _____ day of _____ 20 ____ .</p> <p>Signature</p>

- 26.2 The instrument appointing a proxy must—
- (a) if the appointor is an individual:

- (i) be signed by the appointor or the appointor's attorney properly authorised in writing; or
 - (b) if the appointor is a corporation—
 - (i) be under seal; or
 - (ii) be signed by a properly authorised officer or attorney of the corporation.
- 26.3 A proxy may be a member of the association or another person.
- 26.4 The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.
- 26.5 Each instrument appointing a proxy must be given to the secretary before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote.
- 26.6 Unless otherwise instructed by the appointor, the proxy may vote as the proxy considers appropriate.
- 26.7 If a member wants a proxy to vote for or against a resolution, the instrument appointing the proxy must be in the following or similar form:

University of Sunshine Coast Barbarians Rugby Club Inc:

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

Signed this _____ day of _____ 20 ____ .

Signature

This form is to be used *in favour of/*against [*strike out
whichever is not wanted*] the following resolutions

27 BY-LAWS

- 27.1 The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.
- 27.2 A by-law may be set aside by a vote of members at a general meeting of the association.
- 27.3 The Secretary must maintain a register of By-Laws in the Association records.

28 ALTERATION OF RULES

- 28.1 Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
- 28.2 However an amendment, repeal or addition is valid only if it is registered by the chief executive.

29 COMMON SEAL

- 29.1 The management committee must ensure the association has a common seal.
- 29.2 The common seal must be:
- (a) kept securely by the management committee; and
 - (b) used only under the authority of the management committee.
- 29.3 Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by:
- (a) the secretary; or
 - (b) another member of the management committee; or
 - (c) someone authorised by the management committee.

30 FUNDS AND ACCOUNTS

- 30.1 The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.
- 30.2 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
- 30.3 All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- 30.4 A payment by the association of one hundred dollars (\$100.00) or more must be made by cheque or electronic funds transfer.

- 30.5 If a payment of one hundred dollars (\$100.00) or more is made by cheque, the cheque must be signed by any two (2) of the following:
- (a) the president;
 - (b) the secretary;
 - (c) the treasurer;
 - (d) any one (1) of three (3) other members of the association who have been authorised by the management committee to sign cheques issued by the association.
- 30.6 However, 1 of the persons who signs the cheque must be the president, the secretary or the treasurer.
- 30.7 Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.
- 30.8 A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
- 30.9 All expenditure must be approved or ratified at a management committee meeting.

31 GENERAL FINANCIAL MATTERS

- 31.1 On behalf of the management committee, the treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.
- 31.2 The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

32 DOCUMENTS

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

33 DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

- 33.1 This rule applies if the association:
- (a) is wound-up under part 10 of the Act; and
 - (b) has surplus assets.
- 33.2 The surplus assets must not be distributed among the members of the association.
- 33.3 The surplus assets must be given to another entity:
- (a) having objects similar to the association's objects; and
 - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.