

FLOREAT PARK TENNIS CLUB (INC)

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FLOREAT PARK TENNIS CLUB

RULES

1 NAME

The name of the club shall be Floreat Park Tennis Club (Inc).

2 OBJECTS

The objects of the club shall be:

- (a) To promote and advance the game of tennis
- (b) To provide tennis courts and facilities for the playing of tennis
- (c) To hold, promote or participate in open or club tennis tournaments and competitions
- (d) To provide coaching instruction in tennis
- (e) To provide social and recreational facilities

3 POWERS

For the purpose of achieving or furthering those objects, the club shall have power:

- (a) To purchase, sell, hold, lease, or rent real or personal property
- (b) To borrow, raise, or secure the payment of money, to secure the repayment or performance of any debt, liability, contract or guarantee incurred or to be entered into by the club
- (c) To enter into any agreements with any government or local authority or instrumentality
- (d) To employ, hire, or engage managers, clerks, secretaries, workman, curators, coaches or other persons
- (e) To invest the moneys of the club
- (f) To make prizes or give prizes
- (g) To amalgamate or associate with any other tennis club or other sporting association
- (h) To do all such other things as are incidental or conducive to the objects of the club

4 INCOME AND PROPERTY

The income and property of the club shall be applied solely towards the promotion of the objects of the club and no portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the club, provided that nothing shall prevent the payment in good faith of remuneration to any member or servant of the club in return for services actually rendered to the club, or reimbursement of reasonable expenses incurred by the member on behalf of the club.

5 MANAGEMENT

The management of the club shall be vested in a management committee which shall consist of the officers of the club.

6 OFFICERS

- (a) The officers of the club shall consist of the following:

President, Vice President, Captain, Secretary, Treasurer, Membership Co-ordinator, Social Convenor, Property Manager and two Ordinary Committee Members.
- (b) Each officer must have reached 18 years of age, be members of the club as defined under rule XXX, and not be ineligible by virtue of Section 39 of the *Associations Incorporation Act 2015 (WA)*.

7 ELECTION OR APPOINTMENT OF OFFICERS

- (a) All officers shall be elected to their positions at the Annual General Meeting, or otherwise be appointed by the management committee to fill a casual vacancy as allowed by this section.
- (b) A member cannot hold more than one office at the one time.
- (c) Members must nominate or be nominated to become an officer of the club.
 - (i) At least 28 days before the Annual General Meeting, members must be sent notice calling for nominations to become an officer of the club and stating the date by which nominations must be received. Names of members who have nominated for election to the committee must be contained in the notice of the Annual General Meeting as required by rule XXX.
 - (ii) Nominations may also be made through verbal proposal at the Annual General Meeting, however the nomination of any member not present at that meeting must be accompanied by their consent in writing.
- (d) The committee may appoint a member who is eligible under rule 6(b) to fill a position as an officer of the club that has become vacant under rule XXX or was not filled by election at the most recent Annual General Meeting or under rule XXX.
- (e) If the position of Secretary becomes vacant, the committee must appoint a member who is eligible under rule 6(b) to fill the position within 14 days after the vacancy arises.

8 VALIDITY OF ACTS

The acts of an officer of the club are valid despite any defect that may afterwards be discovered in the election or appointment of that officer.

9 TERM OF OFFICE

- (a) The term of each officer begins when they are:
 - (i) Elected at an Annual General Meeting or under rule XXX, or
 - (ii) Appointed to fill a casual vacancy under rule XXX
- (b) Subject to rule 8(c), officers hold office until their positions on the management committee are declared vacant at the next Annual General Meeting.
- (c) An officer of the club may be re-elected.
- (d) An officer of the club ceases to be so if they:

- (i) Die or otherwise cease to be a member; or
- (ii) Resign from the committee or are removed from office under rule XXX; or
- (iii) Become ineligible to accept an appointment or act as a management committee member under Section 39 of the *Associations Incorporation Act 2015 (WA)*;
- (iv) Become permanently unable to act as an officer of the club because of a mental or physical disability; or
- (v) Fail to attend 3 consecutive management committee meetings, of which the officer has been given notice, without having notified the management committee that the officer will be unable to attend.

10 RESIGNATION OR REMOVAL FROM OFFICE

- (a) An officer of the club may resign from their office by written notice given to the President or, if the resigning member is the President, given to the Secretary.
- (b) The resignation takes effect when the notice is received by the President or Secretary, or, if a later time is stated in the notice, at the later time.
- (c) At a general meeting, the club may by resolution:
 - (i) Remove an officer of the club from their office; and
 - (ii) Elect a member who is eligible under rule 27(4) to fill the vacant position.
- (d) An officer of the club who is the subject of a proposed resolution under Rule 10(c)(i) may make written representations to the management committee and may ask that those be provided to members.
- (e) The management committee may give a copy of the representations to members or, if they are not so given, the officer of the club may require them to be read out at the general meeting at which the resolution for their removal is to be considered.

11 DUTIES AND RESPONSIBILITIES OF OFFICERS

- (a) **PRESIDENT:** the President shall preside at all meetings of the club and of the management committee and shall see that business is conducted in a proper manner. He/she may at his/her discretion call special meetings of the club or of the management committee and generally shall ensure the wellbeing and objects of the club. In case at any time of an equality of votes he/she may, in addition to his/her ordinary vote, give a casting vote. The President is also appointed the club's public officer to function as a point of contact with the Commissioner for Consumer Protection. If, due to illness or absence, the President is unable to perform the functions indicated for him/her, the Vice President will assume those.
- (b) **VICE PRESIDENT:** the Vice President shall assist the President at all meetings of the club and of the management committee and, in the absence of the President, shall occupy the chair and conduct business. He/she shall perform all the functions indicated for the President to his/her best ability and judgment if the President, through illness or absence, is unable to. If the Vice President is not present at the meeting from which the President is also absent, the meeting shall elect a chairman for the occasion.

- (c) CAPTAIN: the Captain shall be responsible for all aspects relating to the actual playing of tennis at the club. This shall include casual, social, shield/pennant match and club tournament play as well as the selection of representative teams, coaching, recommendations on the playing standards, integration with non-member users of club facilities, and determining the suitability or otherwise of playing facilities.
- (d) SECRETARY: the Secretary shall attend all meetings and take minutes of the same, receive all correspondence and answer such questions as may be asked in accordance with these rules, keep copies of all important letters and pay over all monies received by him/her to the Treasurer.
- (e) TREASURER: the Treasurer shall keep a correct account of all monies received and expended by the club and pay all monies belong to the club into such bank or other financial institution as shall be approved by the management committee. He/she shall balance the club's finances prior to the annual audit or whenever required to do so by the management committee. He/she shall produce a statement of income and expenditure, duly audited, at the Annual General Meeting of the club. He/she shall attend all meetings of the club and of the management committee and submit to the same statements and accounts of all monetary transactions. At all meetings of the club, the Treasurer shall have the right to speak and vote except in the appointment of the auditor.
- (f) MEMBERSHIP CO-ORDINATOR: the Membership Co-ordinator shall be responsible for co-ordinating all matters relating to the membership of the club including the promotion of membership opportunities, the election of new members, the introduction of new members to the Club and that a complete and current register of members is maintained.
- (g) SOCIAL CONVENOR: the Social Convenor is responsible for the planning of an appropriate social program for all members and ensuring that the social and catering components of all club activities including special events and functions are properly managed and organised.
- (h) PROPERTY MANAGER: the Property Manager shall be responsible for the care, maintenance, management and improvement of all property owned or leased by the club in accordance with any agreements with the local government authority.
- (i) ORDINARY COMMITTEE MEMBER: each Ordinary Committee Member is a management committee member without portfolio whose duties are to support the management committee in the discharge of its responsibilities and in the exercise of its powers.

12 POWERS OF THE MANAGEMENT COMMITTEE

- (a) The management committee has the power to manage the affairs of the club, and to do all things necessary or convenient to be done for the proper management of the affairs of the club. This includes, but is not limited to:
 - (i) Setting a budget for the financial year which forecasts income and expenditure for that year.
 - (ii) Making by-laws which are not inconsistent with the *Associations Incorporation Act 2015 (WA)* or these rules, and rescinding by-laws.
 - (iii) Appointing a member to fill a position as an officer of the club that is vacant, consistently with rule 7(d).
 - (iv) Appointing one or more sub-committees to deal with any matters which may be conveniently dealt with by such sub-committees.

- (v) Creating one or more subsidiary offices and appointment people to those offices.
 - (vi) Electing members to the club.
 - (vii) Engaging and dismissing servants of the club.
 - (viii) Raising money on overdraft, by the issue of debentures and by any other lawful means on such terms and conditions as it may deem expedient to such amount as may be authorised by a resolution carried at a general meeting of the club.
 - (ix) Waiving or remitting membership subscriptions payable by any member in whole or in part for whatever reason considered appropriate.
 - (x) Doing any other act or thing which may be referred to the management committee by any general meeting of the club.
- (b) The committee must take all reasonable steps to ensure that the club complies with the *Associations Incorporation Act 2015 (WA)*, these rules, and any by-laws or resolutions passed at a general meeting.
 - (c) The management committee shall convene at least once every month and as often as they shall otherwise from time to time determine and on any special occasion when summoned by the President or Secretary.

13 DELEGATION

- (a) To help the management committee in the conduct of the club's business, the management committee may, in writing, create one or more subsidiary offices and appoint people to those offices.
- (b) A person may be appointed to a subsidiary office whether or not the person is a member.
- (c) The management committee may, in writing, delegate to the holder of a subsidiary office the exercise of any power or the performance of any duty of the management committee other than:
 - (i) The power to delegate;
 - (ii) A non-delegable duty.
 - (iii) Those powers specified by rule 3(a), 3(b), 3(c), 3(g), 12(a)(i), 12(a)(ii), 12(a)(iii), 12(a)(v), 12(a)(vii).
- (d) For the purposes of this rule, a non-delegable duty means a duty imposed on the committee by the *Associations Incorporation Act 2015 (WA)* or another written law.
- (e) For the purposes of this rule, the holder of a subsidiary office acting with delegated authority does not, because of that delegation, become an officer of the club and while that holder may attend and speak at management committee meetings, he/she may not vote.
- (f) A power or duty, the exercise or performance of which has been delegated to holder of a subsidiary office under this rule, may be exercised or performed by the holder in accordance with the terms of the delegation.
- (g) The delegation may be made subject to any conditions, qualifications, limitations or exceptions that the committee specifies in the document by which the delegation is made.

- (h) The delegation does not prevent the management committee from exercising or performing at any time the power or duty delegated.
- (i) Any act or thing done by the holder of a subsidiary office, under the delegation has the same force and effect as if it had been done by the management committee.
- (j) The management committee may, in writing, amend or revoke the delegation.

14 CONTROL OF FUNDS

- (a) The management committee shall cause true records to be kept of all monies received and expended.
- (b) A statement of receipts and payments for the preceding year shall be made out and submitted to the Annual General Meeting.
- (c) The statement of receipts and payments shall be audited by the Auditor who shall make a report thereon. A copy of such report shall be attached to or form part of the statement required to be submitted at the Annual General Meeting.
- (d) The President, Treasurer and Secretary are authorised to expend funds up to a specified limit (as articulated in by-laws) within an approved budget without requiring approval from the management committee for each item on which the funds are expended. The management committee shall authorise all other expenditure.
- (e) In all respects, the management committee must ensure that the requirements imposed on the club under Part 5 of the *Associations Incorporation Act 2015 (WA)* relating to financial statements or financial report of the club are met.

15 EXECUTION OF DOCUMENTS

- (a) The club may execute a document without using a common seal if the document is signed by 2 management committee members; or one management committee member and a person authorised by the committee.
- (b) The Secretary must make a written record of each document executed under this rule.

16 CLUB YEAR

The club year shall commence on the first day of July each year and shall end of the last day of June next following.

17 ELIGIBILITY FOR MEMBERSHIP

- (a) Any person who supports the objects or purposes of the club is eligible to apply to become a member.
- (b) An individual who has not reached the age of 19 years (as at the start of the club year) is not eligible to apply for a class of membership that confers full voting rights.

18 MEMBERSHIP

- (a) The members of the club shall be classified as follows:
 - (i) Playing Members

- (ii) Non-playing Members
 - (iii) Junior Members: who shall be persons under the age of 19 years at the start of the club year.
 - (iv) Life Members: who may be elected at a general meeting of the members on recommendation of the management committee as a recognition of services rendered to the club, and after such election shall be entitled to enjoy all the privileges of membership of the club without payment of any fee provided that not more than one Life Member shall be elected in any club year.
- (b) Within the classification of playing, non-playing and junior members, various categories may be determined by the management committee.

19 APPLYING FOR MEMBERSHIP

- (a) Any person desiring to become a member of the club shall send to the Secretary or Membership Co-ordinator an application form prescribed in the club by-laws and stating in which category he/she wishes to join. A person can only belong to one category of membership.
- (c) All applications shall be posted on the notice board of the club for a period of not less than 7 days before election, provided also that an interval of not less than 2 weeks shall elapse between nomination and election.
- (d) The management committee must consider each application for membership of the club and decide whether or not to accept or reject the application.
 - (i) The management committee must not accept an application unless the applicant is eligible under rule 16, and has applied under rule 17(c).
 - (ii) The management committee may reject an application even if the applicant is eligible under rule 16, and has applied under rule 17(c).
 - (iii) If the management committee rejects the application, the committee is not required to give the applicant its reasons for doing so.
- (e) An applicant for membership of the club becomes a member when the management committee accepts the application, and the applicant pays the membership fees payable to the club under rule XXX.
- (f) When a member who has been admitted as a junior member attains the age of 19 years during the current club year of his/her membership as such junior member, he/she may continue as a junior member until the expiration of such current year but thereafter may apply for admission as a playing member.

20 WHEN MEMBERSHIP CEASES

- (a) A person ceases to be a member when any of the following takes place:
 - (i) For a member who is an individual, the individual dies;
 - (ii) For a member who is a body corporate, the body corporate is wound up;
 - (iii) The person resigns from the club under rule 20(c);
 - (iv) The person is expelled from the club under rule XXX;

- (v) The person ceases to be a member under rule XXX.
- (b) The Secretary or Membership Co-ordinator must keep a record, for at least 1 year after the person ceases to be a member, of the date on which the person ceased to be a member, and the reason why the person ceased to be a member.
- (c) A member may resign from membership of the club by giving written notice of the resignation to the Secretary or Membership Co-ordinator.
 - (i) The resignation takes effect when the notice is received or, if a later time is specified in the notice, at that later time.
 - (ii) A person who has resigned from membership of the club remains liable for any fees that are owed to the club at the time of resignation.

21 SUBSCRIPTIONS AND FEES

- (a) The management committee must determine, prior to the start of the club year, the entrance fee (if any) and the annual membership fee (if any) to be paid for membership of the club.
- (b) Members shall pay their fees in advance and by 1st October in the current club year. If a member has not paid the membership fee applicable to his/her category of membership by 1st October, the member ceases to be a member as at 2nd October.
- (c) If a person who has ceased to be a member under rule 20(b) offers to pay the membership fee after 1st October, the management committee may, at its discretion, accept that payment; and, if payment is accepted, the person's membership is reinstated from the date the payment is accepted.

22 REGISTER OF MEMBERS

- (a) The Secretary, Membership Co-ordinator or other person authorised by the management committee is responsible for the requirements imposed on the club under Section 53 of the *Associations Incorporation Act 2015 (WA)* to maintain the register of members and record in that register any change in the membership of the club.
- (b) In addition to the matters referred to in section 53(2) of the *Associations Incorporation Act 2015 (WA)*, the register of members must include the class of membership (if applicable) to which each member belongs and the date on which each member becomes a member.
- (c) The register of members must be kept at the Secretary's, Membership Co-ordinator's, or other authorised person's place of residence, or at another place determined by the committee.
- (d) A member who wishes to inspect the register of members must contact the Secretary, Membership Co-ordinator, or other authorised person to make the necessary arrangements.
- (e) If a member inspecting the register of members wishes to make a copy of, or take an extract from, the register under section 54(2) of the *Associations Incorporation Act 2015 (WA)*; or a member makes a written request under section 56(1) of the *Associations Incorporation Act 2015 (WA)* to be provided with a copy of the register of members, the management committee may require the member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring that the purpose is connected with the affairs of the club.

23 PRIVILEGES

The privileges of membership shall be as follows:

- (a) Playing members and Life Members shall have the right to attend, speak and vote at all general meetings of the club; to play on the club's courts on all days when the courts are designated for play for their category of membership in accordance with the club's by-laws; to participate in matches and tournaments organised for their particular category of membership; to attend all entertainments and social functions and to bring visitors to the club as hereinafter provided.
- (b) Non-playing members shall enjoy the same privileges as playing members save and except those of playing on the club courts, of participating in matches and tournaments and of speaking or voting at meetings.
- (c) Junior members shall have the right to play on club courts on all days when the courts are designated for play by their particular category of membership in accordance with the club's by-laws or when invited by the management committee to play at other designated times; to participate in matches and tournaments organised for their particular category of membership and to attend all entertainments and social functions.

24 VISITORS

- (a) The management committee may accept visitors to the club at any time.
- (b) Visitors fees shall be determined by the committee prior to the commencement of the club year.
- (c) Visitors are entitled to participate in club organised social play 3 times prior to determining whether or not to apply for club membership.

25 VISITORS TO CLUBHOUSE DURING OPERATION OF CLUB RESTRICTED LICENCE

- (a) A playing member may introduce visitors to the club during the trading hours of the club restricted license. The maximum number of guests per member per day for the purposes of section 48(4)(b) of the Liquor Control Act 1988 (WA) is 5.
- (b) A person who is on any day visiting the club as a member, official of, or person assisting a team that is to content a pre-arranged tennis event on that day; or at the invitation of a member to engage in a tennis event on that day, may be taken to be a person who is afforded temporary membership on that day.

26 SALE OF LIQUOR ON CLUB PREMISES

- (a) Liquor shall be sold for consumption on the premises only.
- (b) No member under the age of 18 may be admitted to the premises, subject of the club restricted licence, during the hours of operation of the licence, unless in the company of an adult person in authority over him/her.

27 SUSPENSION, EXPULSION AND DISPUTE RESOLUTION

- (a) Rules outlining the club's procedures for dealing with any dispute between members, or between members and the club, are stated in Schedule 1 to these rules.
- (b) Rules outlining the management committee's ability to suspend or expel members, and the procedures which must be followed, are stated in Schedule 1 to these rules.

- (c) Schedule 1 forms a part of these rules and can only be amended in the same manner as the rules themselves as outlined in rule XXX.

28 MEETINGS OF MANAGEMENT COMMITTEE

- (a) The management committee shall meet at least once a month and when and as often as they shall otherwise from time to time determine and on any special occasion when summoned by the President or Secretary.
- (b) At least 48 hours' notice shall be given of management committee meetings.
- (c) The notice must state the date, time and place of the meeting and must describe the general nature of the business to be conducted at the meeting.
- (d) Unless subrule (e) applies, the only business that may be conducted at the meeting is the business described in the notice.
- (e) Urgent business that has not been described in the notice may be conducted at the meeting if the members at the meeting unanimously agree to treat that business as urgent.
- (f) In the absence of the President and Vice President, a chairperson from among members present must be chosen to chair the meeting.
- (g) The procedure to be followed at a committee meeting must be determined from time to time by the committee.
- (h) A member or other person who is not a management committee member may attend a committee meeting if invited to do so by the committee. Any member or person so invited:
- (i) Has no right to any agenda, minutes or other document circulated at the meeting; and
 - (ii) Must not comment about any matter discussed at the meeting unless invited by the committee to do so; and
 - (iii) Cannot vote on any matter that is to be decided at the meeting.
- (i) Each management committee member present at a committee meeting has one vote on any question arising at the meeting, except as otherwise prescribed by these rules.
- (j) A motion is carried if a majority of the management committee members present at the committee meeting vote in favour of the motion.
- (k) A vote may take place by the management committee members present indicating their agreement or disagreement or by a show of hands, unless the committee decides that a secret ballot is needed to determine a particular question. If a secret ballot is needed, the chairperson of the meeting must decide how the ballot is to be conducted.
- (l) The management committee must ensure that minutes are taken and kept of each committee meeting. The minutes must record the following:
- (i) The names of the management committee members present at the meeting;
 - (ii) The name of any person attending the meeting under rule 28(h);
 - (iii) The business considered at the meeting;

- (iv) Any motion on which a vote is taken at the meeting and the result of the vote.
- (m) The minutes of a committee meeting must be entered in the club's minute book within 30 days after the meeting is held.
- (n) The chairperson must ensure that the minutes of a committee meeting are reviewed and signed as correct by the chairperson of the meeting; or the chairperson of the next committee meeting.
- (o) When the minutes of a committee meeting have been signed as correct they are, until the contrary is proved, evidence that:
 - (i) The meeting to which the minutes relate was duly convened and held; and
 - (ii) The matters recorded as having taken place at the meeting took place as recorded; and
 - (iii) Any appointment purportedly made at the meeting was validly made.

29 ANNUAL GENERAL MEETING

- (a) The Annual General Meeting of the club shall be held every year within four months of the end of the club year.
- (b) The ordinary business of the Annual General Meeting is as follows:
 - (i) To confirm the minutes of the previous Annual General Meeting and of any Special General Meeting held since then if the minutes of that meeting have not yet been confirmed;
 - (ii) To receive and consider the President's report on the club's activities during the preceding financial year, and the Treasurer's report on income and expenditure;
 - (iii) To elect officers of the club;
 - (iv) To appoint an auditor.
 - (v) To appoint a patron, should the club determine to have one. Any patron appointed shall be entitled to participate in any general meeting of the club but shall not be entitled to vote or otherwise participate in the business of the club.
- (c) Any other business of which notice has been given in accordance with these rules may be conducted at the annual general meeting.
- (p) The President must chair the Annual General Meeting, and in his/her absence, the Vice President. If neither the President nor the Vice President are present, a chairperson from among committee members present must be chosen to chair the meeting.

30 SPECIAL GENERAL MEETING

- (a) The President or management committee may convene a Special General Meeting.
- (b) The management committee must convene a Special General Meeting if at least 20% of members who are entitled to vote at such meetings require it to be convened.
- (c) The members requiring a Special General Meeting to be convened must:

- (i) Make the requirement by written notice given to the Secretary; and
 - (ii) State in the notice the business to be considered at the meeting; and
 - (iii) Each sign the notice.
- (d) The Special General Meeting must be convened within 28 days after notice is given under subrule (c)(i).
- (e) If the management committee does not convene a Special General Meeting within that 28 day period, the members making the requirement (or any of them) may convene the meeting.
- (f) A Special General Meeting convened by members under subrule (e):
- (i) Must be held within 3 months after the date the original requirement was made; and
 - (ii) May only consider the business stated in the notice by which the requirement was made.
- (g) The club must reimburse any reasonable expenses incurred by the members convening a Special General Meeting under subrule (e).
- (h) The President must chair the Annual General Meeting, and in his/her absence, the Vice President. If neither the President nor the Vice President are present, a chairperson from among committee members present must be chosen to chair the meeting.

31 NOTICE OF GENERAL MEETINGS

- (a) Members must be given at least 14 days' notice of a general meeting of the club, or 21 days' notice if a special resolution is to be proposed at the meeting.
- (b) The notice must:
- (i) Specify the date, time and place of the meeting;
 - (ii) Indicate the general nature of each item of business to be considered at the meeting;
 - (iii) If the meeting is the Annual General Meeting, include the names of members who have nominated for election to the management committee under rule **7(c)(i)**.
 - (iv) If a special resolution is proposed, set out of the wording of the proposed resolution as required by section 51(4) of the *Associations Incorporation Act 2015 (WA)*; state that the resolution is intended to be proposed as a special resolution; and comply with rule **32(f)**.
- (c) A notice that is to be given to a member under these rules is taken not to have been given to the member unless it is in writing and delivered by hand to the recorded address of the member; or sent by prepaid post to the recorded postal address of the member; or sent by facsimile or electronic transmission to an appropriate recorded number or recorded electronic address of the member.

32 PROXIES

- (a) Subject to subrule (b), voting members may appoint another voting as his/her proxy to vote and speak on his/her behalf at a general meeting.
- (b) A voting member may be appointed the proxy for not more than 5 other members.
- (c) The appointment of a proxy must be in writing and signed by the member making the appointment.
- (d) The voting member appointing the proxy may give specific directions as to how the proxy is to vote on his/her behalf. If no instructions are given to the proxy, the proxy may vote on behalf of the member in any matter as the proxy sees fit.
- (e) If the management committee has approved a form for the appointment of a proxy, the voting member may use that form or any other form that clearly identifies the person appointed as the member's proxy; and that has been signed by the member.
- (f) Notice of a general meeting given to an ordinary member under **rule 31** must state that voting members may appoint an individual who is also a voting member as a proxy for the meeting; and include a copy of any form that the management committee has approved for the appointment of a proxy.
- (g) A form appointing a proxy must be given to the Secretary before the commencement of the general meeting for which the proxy is appointed.
- (h) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the club not later than 24 hours before the commencement of the meeting.

33 QUORUM

- (a) No business is to be conducted at any management committee meeting or general meeting unless a quorum is present.
- (b) At meetings of the management committee, 4 officers shall form a quorum.
- (c) At all general meetings of the club, 15 voting members shall form a quorum.
- (d) If a quorum is not present within 15 minutes after the notified commencement time of a meeting:
 - (i) In the case of a Special General Meeting, the meeting lapses.
 - (ii) In the case of the Annual General Meeting or a meeting of the management committee, the meeting is adjourned to the same time and day in the following week, and the same place.
- (e) If a quorum is not present within 30 minutes after the commencement time of an Annual General Meeting or a meeting of the management committee held under **subrule (d)(ii)**; and at least 2 voting members are present at the meeting, those members present are taken to constitute a quorum.

34 ADJOURNMENT OF GENERAL MEETINGS

- (a) The chairperson of a general meeting at which a quorum is present may, with the consent of a majority of the voting members present at the meeting, adjourn the meeting to another time at the same place or at another place.

- (b) Without limiting subrule (a), a meeting may be adjourned if there is insufficient time to deal with the business at hand; or to give members more time to consider an item of business.
- (c) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- (d) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with **rule 31**.

35 VOTING

- (a) All members and officers of the club not specifically debarred by these rules shall be entitled to speak and vote at all meetings at which they are entitled to be present.
- (b) At general meetings of the club, voting may be decided by a show of hands but if 5 members so require, a vote shall be taken by means of a ballot.
- (c) Except in the case of a special resolution, a motion is carried if a majority of voting members present at a general meeting vote in favour of the motion. If votes are divided equally on a question, the chairperson of the meeting has a second or casting vote.
 - (i) A special resolution is required if it is proposed to alter these rules; approve the terms of an amalgamation with another incorporated association; wind up the association voluntarily or by the Supreme Court; cancel the club's incorporation; or as otherwise specified by the *Associations Incorporation Act 2015 (WA)*.
- (d) If the question is whether or not to confirm the minutes of a previous general meeting, only members who were present at that meeting may vote.

36 MINUTES OF GENERAL MEETINGS

- (a) The management committee must ensure that minutes are taken and kept of each general meeting.
- (b) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- (c) The minutes must also record:
 - (ii) The names of the voting members attending the meeting;
 - (iii) Any proxy forms given to the Secretary under rule **32(g)**;
 - (iv) The financial statements or financial report presented at the meeting, as referred to in rule **14(b)** and **14(c)**;
- (d) The minutes of a general meeting must be entered in the club's minute book within 30 days after the meeting is held.
- (e) The chairperson must ensure that the minutes of a general meeting are reviewed and signed as correct by the chairperson of the meeting; or the chairperson of the next general meeting.
- (f) When the minutes of a general meeting have been signed as correct they are, until the contrary is proved, evidence that:

- (i) The meeting to which the minutes relate was duly convened and held; and
- (ii) The matters recorded as having taken place at the meeting took place as recorded; and
- (iii) Any appointment purportedly made at the meeting was validly made.

37 CUSTODY OF BOOKS AND SECURITIES

- (a) Subject to subrule (b), the books and any securities of the club must be kept in the Secretary's custody or under the Secretary's control.
- (b) The financial records and, as applicable, the financial statement of financial reports of the club must be kept in the Treasurer's custody or under the Treasurer's control.
- (c) Subrules (a) and (b) have effect except as otherwise decided by the management committee.
- (d) The books of the club must be retained for at least 7 years.

38 RECORD OF OFFICE HOLDERS

The record of committee members and other persons authorised to act on behalf of the club that is required to be maintained under section 58(2) of the *Associations Incorporation Act 2015 (WA)* must be kept in the Secretary's custody or under the Secretary's control.

39 INSPECTION OF RECORDS AND DOCUMENTS

- (a) Members may inspect any records and documents held by the club which it is under a statutory obligation to keep.
- (b) A member who wants to inspect any records and documents must contact the Secretary (or, if the record is the register of members, the Membership Co-ordinator) to make the necessary arrangements for the inspection.
- (c) The inspection must be free of charge.
- (d) A member may inspect any other record or document of the club.
- (e) If a member wants to inspect a document that records the minutes of a management committee meeting, the right to inspect that document is subject to any decision the committee has made about minutes of management committee meetings generally, or the minutes of a specific management committee meeting, being available for inspection by members.
- (f) A member may make a copy of or take an extract from a record or document referred to in subrule (e) but does not have a right to remove the record or document for that purpose.
- (g) A member must not use or disclose information in a record or document referred to in subrule (e) except for a purpose that is directly connected with the affairs of the Association; or that is related to complying with a requirement of the *Associations Incorporation Act 2015 (WA)*.

40 ALTERATION OF RULES

- (a) No new rule shall be adopted and no existing rule shall be repealed or amended except by a special resolution at an Annual General Meeting or Special General Meeting called for that

purpose, and by otherwise complying with Part 3 Division 2 of the *Associations Incorporation Act 2015 (WA)*.

- (b) As soon as practicable after the making of any proposal for a change to the rules of the club, the club shall provide to the Director of Liquor Licensing certified particulars of the change proposed. No effect will be given to the change without prior approval of the Director.

41 DISSOLUTION

- (a) The club may, at any time, by special resolution at an Annual General Meeting or Special General Meeting called for that purpose, be dissolved.
- (b) If, upon the dissolution or winding up of the club, there remains after the satisfaction of all its debts and liabilities and property whatsoever, the same must not be paid to or distributed among the members, or former members of the club, but shall be given or transferred to some other club or institution incorporated under the *Associations Incorporation Act 2015 (WA)* which has similar objects and which is not carried out for the purpose of profit or gain to individual members, and which club or institution shall be determined also by special resolution.