

THE OFFICIAL RULES OF THE MANSFIELD GOLF CLUB



24 KIDSTON PARADE, MANSFIELD VIC 3722

**INCORPORATED ASSOCIATION
A0011120G**

Mansfield Golf Club

RULES

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Note

The persons who from time to time are members of the Club are an incorporated association by the name given in rule 1 of these Rules.

Under section 46 of the **Associations Incorporation Reform Act 2012**, these Rules are taken to constitute the terms of a contract between the Club and its members.

PART 1 - PRELIMINARY

1 Name

- (a) The name of the incorporated association is Mansfield Golf Club Incorporated.

2 Purposes

- (a) The purposes of the Club are—
 - (i) To provide the game of golf and other athletic sports or past times.
 - (ii) To provide a golf course, greens and club house and all things incidental to the playing of golf and other athletic sports.
 - (iii) To supply refreshments for members and to apply for, hold and/or renew from time to time any licences, permits or other provisions for the sale and disposal of liquor within the meaning of the Liquor Control Act 1987 (as amended) or any Act passed in substitution therefore or amending the same.
 - (iv) To acquire by purchase, lease or otherwise golf links and grounds and lay out, prepare and maintain the same for golf or other athletic sports or past times, and to build or otherwise provide a club house, workshops and other conveniences in connection therewith, and to alter, enlarge, repair, uphold and maintain the same and to furnish and from time to time refurnish same.
 - (v) To purchase, hire, make or provide and maintain and/or sell all kinds of furniture, plate, linen, golf clubs and balls, all kinds of liquors, provisions and refreshments and/or personal property required or used by the Club and the Members thereof and all apparatus which may be conveniently used in connection with the links and grounds, club house and other premises of the Club.
 - (vi) To provide and maintain its facilities from the joint funds of the Club.
 - (vii) To apply from time to time for a Club Licence and/or permit or permits pursuant to the provisions of the Liquor Control Act 1987 for the time being in force or for such licence or licences, permit or permits as it may be from time to time necessary to obtain whether pursuant to the Liquor Control Act or any Act or Acts to enable the Club to provide for or sell to members beer, spirits or liquors, tobaccos or any other goods and to apply from time to time for the renewal, surrender or removal or extension of any such licence and/or permits;
 - (viii) To insure against all risks, liabilities and eventualities as may seem advisable and to apply the proceeds of any claim under insurance in such manner and for the purpose or purposes as shall be thought fit.
 - (ix) To do all such other lawful things as are incidental or conducive to the attainment of the above objects or any of them or which may be calculated to advance directly or indirectly the interests of the Club;

3 Financial year

- (a) The financial year of the Club is each period of 12 months ending on 30th June.

4 Definitions

- (a) In these Rules—
- (i) *absolute majority* of the Committee, means a majority of the committee members currently holding office and entitled to vote at the time (as distinct from a majority of committee members present at a committee meeting);
 - (ii) *Board* means the Committee;
 - (iii) *Chairperson* of a general meeting or committee meeting, means the person chairing the meeting as required under rule 45;
 - (iv) *Club* means the above named Incorporated Association;
 - (v) *Committee* means the Board or Committee having management of the business of the Club;
 - (vi) *committee meeting* means a meeting of the Board or Committee held in accordance with these Rules;
 - (vii) *committee member* means a member of the Committee elected or appointed under Division 3 of Part 5;
 - (viii) *disciplinary appeal meeting* means a meeting of the members of the Club convened under rule 23(3);
 - (ix) *disciplinary meeting* means a meeting of the Committee convened for the purposes of rule 22;
 - (x) *disciplinary subcommittee* means the subcommittee appointed under rule 20;
 - (xi) *financial year* means the 12 month period specified in rule 3;
 - (xii) *general body of members* means the persons elected to the categories of membership referred to in Rule 9 (a);
 - (xiii) *general meeting* means a general meeting of the members of the Club convened in accordance with Part 4 and includes an annual general meeting, a special general meeting and a disciplinary appeal meeting;
 - (xiv) *member* means a member of the Club;
 - (xv) *member entitled to vote* means a member who under rule 9 (a) (i) is entitled to vote at a general meeting;
 - (xvi) *month* means a calendar month;
 - (xvii) *special resolution* means a resolution that requires not less than three-quarters of the members voting at a general meeting, whether in person or by proxy, to vote in favour of the resolution;
 - (xviii) *year* means the financial year of the Club;
 - (xix) *weekdays* means Monday to Friday (both days inclusive);
 - (xx) *the Act* means the Associations Incorporation Reform Act 2012 and includes any regulations made under that Act;

(xxi) *the Registrar* means the Registrar of Incorporated Associations.

- (b) Words importing only the singular include the plural number and vice versa.
- (c) Words importing the masculine gender include the feminine gender and vice versa.

PART 2 - POWERS OF THE CLUB

5 Powers of the Club

- (a) Subject to the Act, the Club has power to do all things incidental or conducive to achieve its purposes.
- (b) Without limiting subrule (a), the Club may—
 - (i) acquire, hold and dispose of real or personal property; purchase, take on lease in exchange or otherwise acquire any land, buildings or easements or property, real or personal which may be required for the purpose of or conveniently used in connection with any of the objects of the club, and to sell, demise, mortgage, give in exchange or otherwise dispose of the same or any part or parts thereof from time to time, and to grant easements in, through, over or upon any land and/or to acquire easements or other rights of any kind or nature over any other real or personal property. The Committee of the Club shall not without the sanction of a general meeting of the Club demise, under-let, exchange, sell or otherwise dispose of the whole or any part of the real property of the Club.
 - (ii) open and operate accounts with financial institutions and may make, draw, give or accept, endorse, discount cheques, promissory notes and other negotiable instruments;
 - (iii) invest its money in any security in which trust monies may lawfully be invested;
 - (iv) raise and borrow money or secure the payment of money debt or liability on such terms in such manner as the Club shall think fit and in particular (but without limiting the generality of the foregoing) by the issue of debentures or debenture stock perpetual or otherwise charged upon all or any of the Club's property (both present and future) or without any security and upon such terms and conditions as the Club shall think fit and to purchase redeem or payoff any such securities at such times and in such manner and on such terms and conditions as the Club may from time to time consider desirable. Provided nevertheless that no mortgagee or other person advancing money to the Club shall be concerned to see that any money advanced by him/her is wanted for any purpose of the Club or that no more than is wanted is raised or borrowed.
 - (v) appoint agents to transact business on its behalf and may hire and employ secretaries, clerks, managers, servants and workmen and to pay them and other persons in return for services rendered to the Club salaries, wages gratuities and pensions;
 - (vi) guarantee and/or indemnify the contracts and liabilities of others and to give security therefore;

- (vii) insure against all risks, liabilities and eventualities as may seem advisable and to apply the proceeds of any claim under insurance in such manner and for the purpose or purposes as shall be thought fit;
- (viii) enter into any other contract it considers necessary or desirable.
- (c) The Club may only exercise its powers and use its income and assets (including any surplus) for its purposes.

6 Not for profit organisation

- (a) The Club must not distribute any surplus, income or assets directly or indirectly to its members or to any person who at any time has been a member or to any other person claiming through them.
- (b) Subrule (a) does not prevent the Club from paying a member or servant who is a member of the Club—
 - (i) reimbursement for expenses properly incurred by the member; or
 - (ii) for goods or services provided by the member; or
 - (iii) for the repayment of money advanced by any member for the purposes of the Club; or the payment to a member of interest on money lent to the Club —
 - (iv) if this is done in good faith on terms no more favourable than if the member was not a member.

PART 3 - MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES

Division 1 - Membership

7 Minimum number of members

- (a) The Club must have at least 5 members.

8 Who is eligible to be a member?

- (a) Any person who supports the purposes of the Club is eligible for membership.
- (b) The Members of the Club shall be-
 - (i) Every person who at the adoption of these rules is a Member of the Club
 - (ii) Every person who on or after the adoption of these Rules is elected to membership of the Club.
 - (iii) Where as a consequence of the adoption of these Rules there is no category of membership which corresponds exactly with a category of membership of the Club in existence immediately prior to the adoption of these Rules, the Committee shall allocate to each Member of the Club so affected a category of membership available under these Rules which corresponds mutatis mutandis to the category of membership enjoyed by such member immediately prior to the coming into operation of these Rules. The decision of the Committee shall be final and binding in each case.
 - (iv) Every golfer shall be eligible to be elected a Member of the Club.

- (v) Every class of Membership of the Club is open to persons of either sex.

9 Membership Categories

- (a) The General Body of Members of the Club shall be those set out hereunder-
- (i) The General Body of Members of the Club shall be those persons referred to in clause 9, with the exception of Honorary Members, Junior Members, Corporate Members and Gaming Members.
 - (ii) They shall have full rights and privileges to those parts of the Club premises licensed under the Liquor Control Act 1987 (“the licensed premises) and the right to elect the Officers and Committee to manage the business and affairs of the Club.
 - (iii) Subject to the express provisions of these Rules and to any by-laws for the time being in force made by the Committee of the Club as hereinafter provided all Members of the Club shall be entitled to be supplied at such charges as the Committee shall from time to time determine with such meals, refreshments and things as are provided by the Club for the use of its Members and no person shall be entitled under these rules to derive any profit, benefit or advantage from the Club which is not shared equally by every Member, save as provided in rule 6 above.
- (b) Honorary Life Members
- (i) Any two of the General Body of Members may submit to the Committee of the Club the name of any other of the General Body of Members for election as an Honorary Life Member. The Committee of the Club having determined with respect to any such submission that it conforms to the then current guidelines for election of an Honorary Life Member, by prior notice to Members, may recommend to a General Meeting called for the purpose that such Member be elected an Honorary Life Member of the Club without any special payment for such life membership. A two-thirds majority of those present and voting shall be necessary for such election. Every Honorary Life Member shall be entitled to all the privileges and be subject to all the duties of an Ordinary Member during his or her life without any further payment annual or otherwise.
- (c) Honorary Members
- (i) The following persons shall be elected as Honorary Members of the Club: -
 - (ii) Honorary Members may be elected as hereinafter provided. No person shall be allowed to become an Honorary Member of the Club or not liable to pay the regular subscription except those possessing the qualifications defined in these Rules and subject to the conditions and regulations prescribed herein.
 - (iii) Persons who have been members of golf clubs situated outside Victoria who have become permanently resident in Victoria and who have been duly proposed and seconded for membership may at the discretion of the Committee be admitted as Honorary Members during the period pending their election, upon such conditions as the Committee shall decide, and provided further that such member shall pay

an annual subscription and entrance fee determined by the committee. The number of Members admitted under this rule shall not exceed ten at any one time.

- (iv) Persons who have rendered distinguished service to the community or special services to the Club.
 - (v) Persons competing in any golf competition or match on the club course and members of other clubs accompanying competing Members of their club. Persons who have paid the daily green fee will be deemed temporary honorary members for the day of play.
 - (vi) Competitors in tournaments held with the permission of the Club and officials acting at such tournaments.
 - (vii) A person shall not be admitted as an honorary or temporary Member of the Club unless the person is of a class specified in the rules and the admission is in accordance with the rules.
 - (viii) For the purpose of the election of Honorary Members pursuant to this rule there shall be an election committee, which shall consist of any two members of the committee and the Secretary or the person nominated by the Secretary in his/her absence.
 - (ix) The Secretary shall keep appropriate records of the names and addresses of such Honorary Members.
- (d) Ordinary Members
- (i) Ordinary Members shall be persons who when elected are entitled to all the privileges of membership.
- (e) Country Members
- (i) Country Members are Ordinary Members whose principal place of residence is more than 50 kilometres radius from the Club.
- (f) Members Under 25
- (i) Persons between the ages of 18 and 25 shall on election as Ordinary Members under 25 be Members Under 25 with the same rights and privileges as Ordinary Members.
- (g) Intermediate Members
- (i) Intermediate Members shall be those persons who when elected shall be entitled to the same rights and privileges of Ordinary Members including, except where otherwise determined by the Committee, the right to use the golf links playing facilities provided by the Club on weekdays and on Sundays but who shall not be entitled to use the Golf Links playing facilities on any Saturday except upon such terms and conditions and subject to such requirements as the Committee may from time to time prescribe.
- (h) Restricted Members

- (i) Restricted Members shall be those persons who when elected shall be entitled to the same rights and privileges of Ordinary Members including, except where otherwise determined by the Committee, and the right to use the golf links playing facilities provided by the Club on any weekday which is not a public holiday. Restricted Members shall not be entitled to use the golf links playing facilities provided by the Club on any Saturday or Sunday or any weekday which is a public holiday except upon such terms and conditions and subject to such requirements and regulations as the Committee may from time to time prescribe.
- (i) Non Playing Members
 - (i) Non-Playing Members shall be members of the Club who when elected shall be entitled to the same rights and privileges of Ordinary Members except for the Golf Links playing facilities. On the payment of the normal green fee, a non-playing member may use the golf links playing facilities on no more than twelve occasions over any twelve-month period.
- (j) Junior Members
 - (i) Persons under the age of 18 years when elected shall have, subject to the restrictions imposed by the Liquor Control Act 1987, the Gaming Machine Control Act 1991 and these Rules, the same rights and privileges of Ordinary Members, except where otherwise determined by the Committee. A Junior Member, on attaining 18 years, unless then elected to another category of Membership, shall be a Member Under 25.
- (k) Corporate Members
 - (i) A candidate for Corporate Membership shall be proposed and seconded by Ordinary Members.
 - (ii) A corporation shall not be admitted as a Corporate Member of the Club unless it has been invited to apply for membership by the Committee and is elected to membership at a duly convened meeting of the Committee.
 - (iii) During the course of each year of membership of a Corporate Member such Corporate Member shall be entitled as of right to nominate by notice in writing to the Committee two adult persons to be its nominees as Ordinary Members. Such nominees shall be an employee of the Corporate Member or a Member of the immediate family of an employee of the Corporate Member.
 - (iv) A nominee of a Corporate Member shall not be accepted as a nominee unless he/she is elected to such position at a duly convened meeting of the Committee. The names of the Committee members present and voting at that meeting are to be recorded by the Secretary and shall be entitled to all playing rights of Ordinary Members except where otherwise determined by the Committee.
- (l) Gaming Members

Persons who are of or over the age of eighteen years may be elected by the Committee as Gaming Members of the Club. Upon election Gaming Members shall be entitled to

use all Club House facilities provided by the Club and upon payment of the normal green fee a Gaming Member may use the golf links playing facilities provided by the Club on any weekday which is not a public holiday but on no more than twelve occasions over any twelve month period. The maximum number of gaming members admitted under this rule shall be as determined by the Committee of Management from time to time.

10 Application for membership

- (a) Every candidate for membership of the club except for Honorary Life Members shall be proposed by one and seconded by another of the General Body of Members of the Club to both of whom the candidate shall be personally known.
- (b) Every nomination for membership shall be made in writing signed by the candidate and by the proposer and seconder and shall be in such form as the Committee may from time to time approve.
- (c) Until the Committee shall otherwise prescribe the procedure relating to the nomination of candidates for membership of the Club other than Honorary Life Members shall be as follows:-
 - (i) The proposer will submit on the prescribed form of nomination full information as to:-
 - (i) Full name of the proposed nominee;
 - (ii) The name of the seconder;
 - (iii) The business and private address, telephone number/s, profession or occupation of the proposed nominee, the clubs to which the nominee belongs (if any), current handicap (if any), Club for handicap purposes.
 - (iv) Any other information that would or may be useful to the committee in arriving at a decision on the proposal. Such information shall include the category of membership sought on behalf of the nominee.
 - (ii) The nomination form must state that the person
 - (i) wishes to become a member of the Club; and
 - (ii) supports the purposes of the Club; and
 - (iii) agrees to comply with these Rules.
 - (iii) The nomination—
 - (i) must be signed by the candidate; and
 - (ii) must be accompanied by the entrance fee and first annual subscription.
- (d) The Committee shall not be bound to accept the nomination for Membership of any person.

11 Consideration of application

- (a) Save and except for Honorary Life Members the nomination form of every candidate shall be sent to the Secretary fourteen days at least before the ballot and shall be displayed in a conspicuous place in the club house for at least a week before the ballot. For the purpose of this rule the Committee shall be an election committee for the purposes of the Liquor Control Act 1987 and a record shall be kept by the Secretary of the Club of the number of the Committee voting. Every candidate for election shall be balloted for by the Committee and one adverse vote shall exclude that person being elected. An interval of not less than two weeks shall elapse between nomination and the election of any person.
- (b) Any Member may if the Committee thinks fit and upon the application of such Member be elected a Member of another category of membership subject to there being a vacancy in that category of membership.
- (c) A Member under the age of 25 years may on attaining the age of 25 years and upon that member's own application be elected an Intermediate Member or Ordinary Member. The category of membership shall be at the sole discretion of the Committee.
 - (i) The Committee must notify the applicant in writing of its decision as soon as practicable after the decision is made.
 - (ii) If the Committee rejects the application, it must return any money accompanying the application to the applicant.
 - (iii) No reason need be given for the rejection of an application.

12 New membership

- (a) If an application for membership is approved by the Committee—
 - (i) the resolution to accept the membership must be recorded in the minutes of the committee meeting; and
 - (ii) the Secretary must, as soon as practicable, enter the name and address of the new member, and the date of becoming a member, in the register of members.
- (b) A person becomes a member of the Club and, subject to rule 13(b), is entitled to exercise his or her rights of membership from the date, whichever is the later, on which—
 - (i) the Committee approves the person's membership; or
 - (ii) the person pays the joining fee.

13 Annual subscription and fee on joining

- (a) The entrance fees for the various categories of members shall be such sums as the Committee shall from time to time by resolution prescribe.
- (b) The annual subscriptions for the following categories of members shall be as may be fixed from time to time by Members in general meeting, and when so fixed, such subscription shall be deemed to be the annual subscription pursuant to this rule provided

however the subscription payable by any Member of or above the age of 65 years as at the 27th November 2003 shall remain the figure payable by that Member as at that date.

- (c) The Annual subscriptions for the other categories of Members for each year after the adoption of these Rules shall be fixed by percentages of the subscription payable in that year by Ordinary Members as under:
 - (i) Country Members - 75 per centum save for those Country Members whose principal place of residence is more than 300 kilometres from the Club - 65 per centum
 - (ii) Members Under 25 - 30 per centum
 - (iii) Intermediate Members - 80 per centum
 - (iv) Restricted Members - 60 per centum
 - (v) Non Playing Members - 25 per centum
 - (vi) Junior Members - 17.5 per centum
 - (vii) Corporate Members - 50 per centum for each nominee
- (d) Any Member of any class who fails to pay his or her subscription and/or entrance fee and/or any call or levy within two months after it is due shall be sent a notice of default by the Secretary. If the subscription and/or entrance fee and/or call or levy remains unpaid for a further period of four weeks from the date of sending such notice of default the defaulting Member shall thereupon cease to exercise any of the privileges of the membership, and his/her name may be suspended by the Committee from the list of Members, but may be re-elected on the payment of all arrears.
- (e) Annual subscriptions shall become due and payable in advance on the 1st day of July each year. Annual subscriptions, in the discretion of the Member, may be paid in instalments as the Committee may from time to time adopt.
- (f) Members elected to another category of membership for which a greater entrance fee is applicable shall be required to pay the difference between the entrance fee paid and that prescribed for the other category at the time of election to such other category.
- (g) Notwithstanding anything contained in these rules the Committee may by affirmative vote of at least seventy-five per centum of all the committee for the time being refuse to accept or remit the annual subscription of or to any Member and the membership of such Member shall immediately on the termination of the year for which the then subscription has been paid ipso facto cease and determine and no right of action or any claim shall accrue to such Member for or by any reason or such refusal as aforesaid.
- (h) A person shall not be exempted from the obligation to pay the ordinary subscription for membership of the Club unless the person is of a class specified in the rules and the exemption is in accordance with the rules.
- (i) A Member who has resigned and subsequently is re-elected to the Club shall not be required to pay an entrance fee unless in the meantime such fee has been raised in which case the person shall pay the difference only.

- (j) Notwithstanding the provisions of Rule 13 (d), the Committee may cause any member who has not paid the annual subscription within three months of such subscription becoming due and payable or any later date to which the committee may extend the time for such payment in any year to be struck off the register of members and thereupon such Member shall cease to be a Member of the Club and shall forfeit all right and claim upon the Club and its property (except under any debenture held by him or her) but may be re-elected in the discretion of the Committee on payment of all arrears.
- (k) The Committee may from time to time make a call or levy on the General Body of Members (Other than Honorary Life Members and Non Playing Members) for such amount and payable at such time or times as shall be determined by the Committee PROVIDED HOWEVER such call or levy shall not, in any one year, exceed 25% of the current annual subscription payable by Members of the Ordinary category.

14 General rights of members

- (a) A member of the Club who is entitled to vote has the right—
 - (i) to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
 - (ii) to submit items of business for consideration at a general meeting; and
 - (iii) to attend and be heard at general meetings; and
 - (iv) to vote at a general meeting; and
 - (v) to have access to the minutes of general meetings and other documents of the Club as provided under rule 72; and
 - (vi) to inspect the register of members.
- (b) A member is entitled to vote if—
 - (i) the member is a member of the General Body of Members
 - (ii) more than 10 business days have passed since he or she became a member of the Club; and
 - (iii) the member's membership rights are not suspended for any reason.

15 Rights not transferable

- (a) The rights of a member are not transferable and end when membership ceases.

16 Ceasing membership

- (a) The membership of a person ceases on resignation, expulsion or death.
- (b) If a person ceases to be a member of the Club, the Secretary must, as soon as practicable, enter the date the person ceased to be a member in the register of members.

17 Resigning as a member

- (a) A member may resign by notice in writing given to the Club.
- (b) A member is taken to have resigned if—

- (i) the member's annual subscription is more than 6 months in arrears; or
- (ii) where no annual subscription is payable—
 - (i) the Secretary has made a written request to the member to confirm that he or she wishes to remain a member; and
 - (ii) the member has not, within 3 months after receiving that request, confirmed in writing that he or she wishes to remain a member.

18 Register of members

- (a) The Secretary must keep and maintain a register of members that includes—
 - (i) for each current member—
 - (i) the member's name;
 - (ii) the address for notice last given by the member;
 - (iii) the date of becoming a member;
 - (iv) the membership category of the member;
 - (v) the member's date of birth;
 - (vi) the date of latest payment of the member's subscription;
 - (vii) any other information determined by the Committee; and
 - (ii) for each former member, the date of ceasing to be a member.
- (b) Any member may, at a reasonable time and free of charge, inspect the register of members.
- (c) The use of any information derived from the register of members is at all times subject to Sections 58 and 59 of the Act and to Rule 72 hereunder.

Division 2 - Disciplinary action

19 Grounds for taking disciplinary action

- (a) The Club may take disciplinary action against a member in accordance with this Division if it is determined that the member—
 - (i) has failed to comply with these Rules; or
 - (ii) refuses to support the purposes of the Club; or
 - (iii) has engaged in conduct prejudicial to the Club.

20 Disciplinary subcommittee

- (a) If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
- (b) The members of the disciplinary subcommittee—
 - (i) may be Committee members, members of the Club or anyone else; but
 - (ii) must not be biased against, or in favour of, the member concerned.

21 Notice to member

- (a) Before disciplinary action is taken against a member, the Secretary must give written notice to the member—
 - (i) stating that the Club proposes to take disciplinary action against the member; and
 - (ii) stating the grounds for the proposed disciplinary action; and
 - (iii) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting); and
 - (iv) advising the member that he or she may do one or both of the following—
 - (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
 - (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
 - (v) setting out the member's appeal rights under rule 23.
- (b) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

22 Decision of subcommittee

- (a) At the disciplinary meeting, the disciplinary subcommittee must—
 - (i) give the member an opportunity to be heard; and
 - (ii) consider any written statement submitted by the member.
- (b) After complying with subrule (a), the disciplinary subcommittee may—
 - (i) take no further action against the member; or
 - (ii) subject to subrule (c)—
 - (i) reprimand the member; or
 - (ii) suspend the membership rights of the member for a specified period; or
 - (iii) expel the member from the Club.
- (c) The disciplinary subcommittee may not fine the member.
- (d) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed. A Member expelled under this rule shall forfeit all right in and claim upon the Club and its property (except under any debenture or debentures held by him/her).

23 Appeal rights

- (a) A person whose membership rights have been suspended or who has been expelled from the Club under rule 22 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
- (b) The notice must be in writing and given—

- (i) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
- (ii) to the Secretary not later than 48 hours after the vote.
- (c) If a person has given notice under subrule (b), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.
- (d) Notice of the disciplinary appeal meeting must be given to each member of the Club who is entitled to vote as soon as practicable and must—
 - (i) specify the date, time and place of the meeting; and
 - (ii) state—
 - (i) the name of the person against whom the disciplinary action has been taken; and
 - (ii) the grounds for taking that action; and
 - (iii) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

24 Conduct of disciplinary appeal meeting

- (a) At a disciplinary appeal meeting—
 - (i) no business other than the question of the appeal may be conducted; and
 - (ii) the Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
 - (iii) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- (b) After complying with subrule (a), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- (c) A member may not vote by proxy at the meeting.
- (d) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

Division 3 - Grievance procedure

25 Application

- (a) The grievance procedure set out in this Division applies to disputes under these Rules between—
 - (i) a member and another member;
 - (ii) a member and the Committee;

(iii) a member and the Club.

(b) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

26 Parties must attempt to resolve the dispute

(a) The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

27 Appointment of mediator

(a) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 26, the parties must within 10 days—

(i) notify the Committee of the dispute; and

(ii) agree to or request the appointment of a mediator; and

(iii) attempt in good faith to settle the dispute by mediation.

(b) The mediator must be—

(i) a person chosen by agreement between the parties; or

(ii) in the absence of agreement—

(i) if the dispute is between a member and another member—a person appointed by the Committee; or

(ii) if the dispute is between a member and the Committee or the Club—a person appointed or employed by the Dispute Settlement Centre of Victoria.

(c) A mediator appointed by the Committee may be a member or former member of the Club but in any case must not be a person who—

(i) has a personal interest in the dispute; or

(ii) is biased in favour of or against any party.

28 Mediation process

(a) The mediator to the dispute, in conducting the mediation, must—

(i) give each party every opportunity to be heard; and

(ii) allow due consideration by all parties of any written statement submitted by any party; and

(iii) ensure that natural justice is accorded to the parties throughout the mediation process.

(b) The mediator must not determine the dispute.

29 Failure to resolve dispute by mediation

(a) If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

PART 4 - GENERAL MEETINGS OF THE CLUB

30 Annual general meetings

- (a) The Committee must convene an annual general meeting of the Club to be held within 5 months after the end of each financial year.
- (b) The only persons entitled to vote at annual general meetings or to have any voice in the management of the Club shall be the General Body of Members provided however that the Committee may invite a person or persons to attend such meeting or meetings without conferring any voting rights on that person.
- (c) The Committee may determine the date, time and place of the annual general meeting.
- (d) 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;
 - (ii) to receive and consider—
 - (i) the annual report of the Committee on the activities of the Club during the preceding financial year; and
 - (ii) the financial statements of the Club for the preceding financial year submitted by the Committee in accordance with Part 7 of the Act;
 - (iii) to elect the members of the Committee;
 - (iv) to confirm or vary the amounts of the annual subscription and joining fee.
- (e) The annual general meeting may also conduct any other business of which notice has been given in accordance with these Rules.

31 Special general meetings

- (a) Any general meeting of the Club, other than an annual general meeting or a disciplinary appeal meeting, is a special general meeting.
- (b) The Committee may convene a special general meeting whenever it thinks fit.
- (c) No business other than that set out in the notice under rule 33 may be conducted at the meeting.

32 Special general meeting held at request of members

- (a) The Committee must convene a special general meeting if a request to do so is made in accordance with subrule (b) by at least 10% of the total number of the General Body of Members.
- (b) A request for a special general meeting must—
 - (i) be in writing; and
 - (ii) state the business to be considered at the meeting and any resolutions to be proposed; and
 - (iii) include the names and signatures of the members requesting the meeting; and

- (iv) be given to the Secretary at the registered address of the Club.
- (c) If the Committee does not convene a special general meeting within one month after the date on which the request is made, the members making the request (or any twenty-five of the General Body of Members) may convene the special general meeting.
- (d) A special general meeting convened by members under subrule (c)—
 - (i) must be held within 3 months after the date on which the original request was made; and
 - (ii) may only consider the business stated in that request.
- (e) The Club must reimburse all reasonable expenses incurred by the members convening a special general meeting under subrule (c).

33 Notice of general meetings

- (a) The Secretary (or, in the case of a special general meeting convened under rule 32(c), the members convening the meeting) must give to each member of the Club—
 - (i) at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
 - (ii) at least 14 days' notice of a general meeting in any other case.
- (b) The notice must—
 - (i) specify the date, time and place of the meeting; and
 - (ii) indicate the general nature of each item of business to be considered at the meeting; and
 - (iii) if a special resolution is to be proposed—
 - (i) state in full the proposed resolution; and
 - (ii) state the intention to propose the resolution as a special resolution; and
 - (iv) comply with rule 34(e).
- (c) This rule does not apply to a disciplinary appeal meeting.
- (d) The non-receipt of such a notice by any eligible member shall not invalidate proceedings at any general meeting.

34 Proxies

- (a) A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting other than at a disciplinary appeal meeting.
- (b) The appointment of a proxy must be in writing and signed by the member making the appointment.
- (c) The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.

- (d) If the Committee has approved a form for the appointment of a proxy, the member may use any other form that clearly identifies the person appointed as the member's proxy and that has been signed by the member.
- (e) Notice of a general meeting given to a member under rule 33 must—
 - (i) state that the member may appoint another member as a proxy for the meeting; and
 - (ii) include a copy of any form that the Committee has approved for the appointment of a proxy.
- (f) A form appointing a proxy, to be returned to the Club Secretary, is to be placed in and stored in a locked box at least 48 hours before the commencement of the meeting. Where the proxy is to be used for Office Bearer and/or Committee elections, the locked box is to be opened by the appointed scrutineers. The Secretary shall open the box in all other instances.
- (g) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Club Secretary no later than 48 hours before the commencement of the meeting.

35 Quorum at general meetings

- (a) No business may be conducted at a general meeting unless a quorum of members is present.
- (b) The quorum for a general meeting is the presence (physically, or by proxy) of 5% of the members entitled to vote.
- (c) If a quorum is not present within 30 minutes after the notified commencement time of a general meeting—
 - (i) in the case of a meeting convened by, or at the request of, members under rule 32—the meeting must be dissolved and the business that was to have been considered at the meeting is taken to have been dealt with.;
 - (ii) in any other case—
 - (i) the meeting must be adjourned to a date as the Committee may within the period of ten days decide; and
 - (ii) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.
- (d) If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under subrule (c)(ii), the members present at the meeting (if not fewer than 3) may proceed with the business of the meeting as if a quorum were present.

36 Adjournment of general meeting

- (a) The Chairperson of a general meeting at which a quorum is present may, with the consent of a majority of 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—
 - (i) if there is insufficient time to deal with the business at hand; or
 - (ii) to give the 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 33.

37 Voting at general meeting

- (a) On any question arising at a general meeting—
 - (i) subject to subrule (c), each member of the General Body of Members who is entitled to vote has one vote; and
 - (ii) members may vote personally or by proxy; and
 - (iii) except in the case of a special resolution, the question must be decided on a majority of votes.
- (b) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- (c) If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting, and whose names are listed on the register of attending members at that meeting may vote.
- (d) No member otherwise eligible shall be entitled to vote at any meeting unless the annual subscription and/or entrance fee and/or call or levy for the current year has been paid or the time of payment of same or of any unpaid part thereof extended,
- (e) This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 24.

38 Special resolutions

- (a) A special resolution is passed if not less than three quarters of the members voting at a general meeting (whether in person or by proxy) vote in favour of the resolution.
- (b) In addition to all other reasons specified in these Rules a special resolution is required—
 - (i) to remove a committee member from office ;
 - (ii) to alter these Rules, including changing the name or any of the purposes of the Club.

39 Determining whether resolution carried

- (a) Subject to subrule (b), the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been—
 - (i) carried; or
 - (ii) carried unanimously; or
 - (iii) carried by a particular majority; or
 - (iv) lost,
 - (v) and an entry to that effect in the minutes of the meeting is conclusive proof of that fact without proof of the number or proportion of the votes recorded in favour or against the resolution.
- (b) If a poll (where votes are cast in writing) is demanded by three or more members on any question—
 - (i) the poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and
 - (ii) the Chairperson must declare the result of the resolution on the basis of the poll.
- (c) A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.
- (d) A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

40 Minutes of general meeting

- (a) The 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) In addition, the minutes of each annual general meeting must include—
 - (i) the total number of the members attending the meeting; and
 - (ii) proxy forms given to the Chairperson of the meeting under rule 34(f); and
 - (iii) the financial statements submitted to the members in accordance with rule 30(d)(ii)(ii); and
 - (iv) the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Club; and
 - (v) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

PART 5 - COMMITTEE

Division 1 - Powers of Committee

41 Role and powers

- (a) The business of the Club must be managed by or under the direction of a Committee.
- (b) The Committee may exercise all the powers of the Club except those powers that these Rules or the Act require to be exercised by general meetings of the members of the Club.
- (c) The Committee may—
 - (i) appoint and remove a General Manager
 - (ii) make, alter and repeal by-laws and policies and approve procedures for the conduct and management of the Club, provided however that no by-law, policy or procedure shall be inconsistent with or affect or repeal anything contained in the Rules of the Club.
 - (iii) establish subcommittees consisting of members with terms of reference it considers appropriate.
- (d) All acts done by any meeting of the Committee or a Sub Committee of the Committee or by any person acting as a Member of the Committee shall notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such person or persons acting as aforesaid or that they or any of them were disqualified be as valid as if such person had been duly appointed and was qualified to be a Member of the Committee.

42 Delegation

- (a) The Committee may delegate to a member of the Committee, a subcommittee or staff, any of its powers and functions other than—
 - (i) this power of delegation; or
 - (ii) a duty imposed on the Committee by the Act or any other law.
- (b) The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.
- (c) The Committee may, in writing, revoke a delegation wholly or in part.
- (d) The Committee shall have no power to delegate its control of the supply of liquor to the Club.

Division 2 - Composition of Committee and duties of members

43 Composition of Committee

- (a) The Committee consists of—
 - (i) a President; and
 - (ii) a Captain; and
 - (iii) a Treasurer; and

- (iv) four members from the General Body of members (except for members who are employees of the Club) elected under these Rules, including one to act as Vice-President

44 General Duties

- (a) As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with these Rules and the Act.
- (b) The Committee is collectively responsible for ensuring that the Club complies with the Act and that individual members of the Committee comply with these Rules.
- (c) Committee members must exercise their powers and discharge their duties with reasonable care and diligence.
- (d) Committee members must exercise their powers and discharge their duties—
 - (i) in good faith in the best interests of the Club; and
 - (ii) for a proper purpose.
- (e) Committee members and former committee members must not make improper use of—
 - (i) their position; or
 - (ii) information acquired by virtue of holding their position,
 - (iii) so as to gain an advantage for themselves or any other person or to cause detriment to the Club.
- (f) In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.
- (g) No officer or Member of the Committee shall be entitled to remuneration for his/her services save as provided in Rule 2 (h) of the Statement of Purposes of the Club.

45 President and Vice-President

- (a) Subject to subrule (b), the President or, in the President's absence, the Vice-President is the Chairperson for any general meetings and for any committee meetings.
- (b) If the President and the Vice-President are both absent, or are unable to preside, the Chairperson of the meeting must be—
 - (i) in the case of a general meeting—a member elected by the other members present; or
 - (ii) in the case of a committee meeting—a committee member elected by the other committee members present.

46 Secretary

- (a) There shall be a Secretary to the Club to be appointed or terminated by the Committee and he/she shall be paid such remuneration for his/her services as the Committee may from time to time determine. He/she shall not be a Member of the Committee of the Club and it shall not be necessary that he/she should be a Member of the Club. He/she shall act as Secretary and perform all such duties in relation to the Club as these rules

require to be performed by the Secretary and other such duties as the Committee requires of him/her.

- (b) The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.
- (c) The Secretary must—
 - (i) maintain the register of members in accordance with rule 18; and
 - (ii) keep custody of the common seal of the Club and, except for the financial records referred to in rule 66(c), all books, documents and securities of the Club in accordance with rules 68 and 72; and
 - (iii) subject to the Act and these Rules, provide members with access to the register of members, the minutes of general meetings and other books and documents; and
 - (iv) perform any other duty or function imposed on the Secretary by these Rules.
- (d) The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.

47 Treasurer

- (a) The Treasurer must—
 - (i) ensure that the financial records of the Club are kept in accordance with the Act; and
 - (ii) coordinate the preparation of the financial statements of the Club and their certification by the Committee prior to their submission to the annual general meeting of the Club.

Division 3 - Election of Committee members and tenure of office

48 Who is eligible to be a Committee member?

- (a) A member is eligible to be elected or appointed as a committee member if the member—
 - (i) is a Member of the General Body of Members (except members who are employees of the Club); and
 - (ii) is entitled to vote at a general meeting.
- (b) Any Member who has held office of President for three successive years shall not be eligible for re-election as President for the year following the final year of such term.

49 Election of office bearers and committee

- (a) The election of office bearers and Committee of the Club shall take place in the following manner:-
 - (i) Any two financial Members of the General Body of Members of the Club shall be at liberty to nominate any other member of the General Body of Members to serve as an Officer or member of the Committee of the Club.

- (ii) At least thirty clear days before the Annual General Meeting the name of each Member so nominated together with the names of the proposer and seconder shall be sent in writing to the Secretary of the Club accompanied by a Memorandum signed by the candidate consenting to serve if elected.
 - (iii) A list of candidates for election as Officers and of the candidates for election as other Committee members (such list named candidates to be listed in alphabetical order) with the proposer's and seconder's names shall be posted in a conspicuous place in the Club House for at least seven days immediately preceding the Annual General Meeting.
 - (iv) The Secretary shall if the number of candidates exceeds the number of vacancies for Officers and other Committee Members cause balloting lists to be printed containing in alphabetical order the names of the candidates and the positions for which they are proposed showing by an asterisk the name or names of the retiring candidate or candidates and shall hand one of such lists to each Member of the General Body of Members present at the Annual General Meeting. The Members voting shall strike out the name or names of the candidates for whom they do not desire to vote and shall hand such list to a scrutineer at the Annual General Meeting.
 - (v) The Secretary shall appoint at or before the said Annual General Meeting three Members not being candidates to act as scrutineers. The report of the scrutineers shall be conclusive. The scrutineers shall not be required to disclose the number of votes obtained by any candidate.
 - (vi) The Chairperson shall read the report of the scrutineers at the Annual General Meeting and shall declare elected the candidates who have received most votes for the respective positions. In the case of two or more candidates receiving an equal number of votes the Chairperson shall elect by lot from such candidates the candidate or candidates who is or are to be elected.
 - (vii) The General Body of Members shall elect at the Annual General Meeting:
 - All Officers of the Club who shall hold office for a period of not less than twelve months; and
 - Two of the four persons referred to in Rule 43 (a)(iv) hereof who shall hold office for a period of not less than 24 months.
 - (viii) Of the four committee persons referred to in Rule 43 (a)(iv) hereof, as a minimum requirement, at least one person must be a male, and one person must be a female.
- (b) When required by a majority of Members present at a meeting at which an election of Officers and other Committee is to be held the Chairperson shall appoint three Members not being candidates or scrutineers to examine and report upon any aspect of election procedure indicated by a majority of Members present. The declaration of the Chairperson upon the receipt of the report of such Members shall be final and conclusive.

50 Retirement of officers and committee

- (a) Subject as hereinafter provided:
 - (i) each of the Officers of the Club shall retire at each Annual General Meeting: and
 - (ii) each of the others of the Committee shall retire at the Annual General Meeting held in the year in which their elected term expires.
- (b) Subject to the provisions of Rule 48 all retiring Officers and Members of the Committee shall be eligible for re-election.

51 Secretary required to act

- (a) If for any reason the number of Officers and Committee shall be reduced to less than five the remaining Officers and Committee or if there be none the Secretary of the Club shall have the power and shall call a Special General Meeting of the Members for the purpose of filling the vacancies and may do all acts and cause to be issued all notices which may be necessary for the said purpose.

52 Vacation of office

- (a) The office of an Officer of the Club or of a Member of the General Committee of the Club becomes vacant if the Officer or Member:-
 - (i) ceases to be a Member of the Club
 - (ii) becomes insolvent under administration within the meaning of the Corporations law
 - (iii) resigns office by notice in writing given to the Secretary of the Club.
 - (iv) fails to attend 3 consecutive committee meetings (other than special or urgent committee meetings) without leave of absence under Rule 62; or
 - (v) becomes otherwise ineligible or incapable so to act.

53 Filling Casual Vacancies

- (a) All casual vacancies arising among the Committee of the Club shall be filled by the Committee from among the General Body of Members.
- (b) A person chosen to fill a casual vacancy as aforesaid shall retain his/her office so long as the vacating Member of the Committee would have retained the same if no vacancy had occurred.
- (c) The Committee may continue to act despite any vacancy in its membership.

Division 4 - Meetings of Committee

54 Meetings of Committee

- (a) The Committee must meet at least 4 times in each year at the dates, times and places determined by the Committee.
- (b) The date, time and place of the first committee meeting must be determined by the members of the Committee as soon as practicable after the annual general meeting of the Club at which the members of the Committee were elected.

- (c) Special committee meetings may be convened by the President or by any 4 members of the Committee.

55 Notice of meetings

- (a) Notice of each committee meeting must be given to each committee member no later than 7 days before the date of the meeting.
- (b) Notice may be given of more than one committee meeting at the same time.
- (c) The notice must state the date, time and place of the meeting.
- (d) If a special committee meeting is convened, the notice must include the general nature of the business to be conducted.
- (e) The only business that may be conducted at the meeting is the business for which the meeting is convened.

56 Urgent meetings

- (a) In cases of urgency, a meeting can be held without notice being given in accordance with rule 55 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- (b) Any resolution made at the meeting must be passed by an absolute majority of the Committee.
- (c) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

57 Procedure and order of business

- (a) The procedure to be followed at a meeting of a Committee must be determined from time to time by the Committee.
- (b) The order of business may be determined by the members present at the meeting.

58 Quorum

- (a) No business may be conducted at a Committee meeting unless a quorum is present.
- (b) The quorum for a committee meeting is the presence of a majority of the committee members holding office, that is to say, four.
- (c) If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting—
 - (i) in the case of a special meeting—the meeting lapses;
 - (ii) in any other case—the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 55.

59 Voting

- (a) On any question arising at a committee meeting, each committee member present at the meeting has one vote.

- (b) A motion is carried if a majority of committee members present at the meeting vote in favour of the motion.
- (c) Subrule (b) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Committee.
- (d) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- (e) Voting by proxy is not permitted.

60 Conflict of interest

- (a) A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.
- (b) The member—
 - (i) must not be present while the matter is being considered at the meeting; and
 - (ii) must not vote on the matter.
- (c) This rule does not apply to a material personal interest—
 - (i) that exists only because the member belongs to a class of persons for whose benefit the Club is established; or
 - (ii) that the member has in common with all, or a substantial proportion of, the members of the Club.

61 Minutes of meeting

- (a) The Committee must ensure that minutes are taken and kept of each committee meeting.
- (b) The minutes must record the following—
 - (i) the names of the members in attendance at the meeting;
 - (ii) the business considered at the meeting;
 - (iii) any resolution on which a vote is taken and the result of the vote;
 - (iv) any material personal interest disclosed under rule 60.

62 Leave of absence

- (a) The Committee may grant a committee member leave of absence from committee meetings for a period not exceeding 3 months.
- (b) The Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the committee member to seek the leave in advance.

63 Notice requirements

- (a) Any notice required to be given to a member or a committee member under these Rules may be given—
 - (i) by handing the notice to the member personally; or

- (ii) by sending it by post to the member at the address recorded for the member on the register of members; or
 - (iii) by email or facsimile transmission.
- (b) Subrule (a) does not apply to notice given under rule 55.
- (c) Where a notice is sent by post service of the notice shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the notice and shall be deemed to have been effected on the day following the posting.

64 Indemnity

- (a) Every Officer of the Club as hereinbefore defined and every Member of the Committee of the Club shall be indemnified by the Club, and it shall be the duty of the Committee out of the funds of the Club to pay all costs, losses and expenses which such Officer or Member of the Committee may incur or become liable to by reason of any contract entered into or act or thing done by him/her as such Officer or Member of the Committee or in any way as a discharge or purported discharge of his/her duties.
- (b) No Officer or Member of the Committee of the Club shall be liable for the acts, neglects or defaults of any other Officer or Committee Member of the Club, or other act for conformity or for any loss or expense happening to the Club through the insufficiency or deficiency of title to any property acquired by order of the Committee for or on behalf of the Club or for the insufficiency or deficiency or any security in or upon which any of the moneys of the Club shall be invested or for any loss or damage arising from the bankruptcy or tortious act of any person owing monies to the Club or with whom any monies, securities or effects shall be deposited or for any loss occasioned by any error or judgment or oversight on his/her part or for any other loss, damage or misfortune, whatever which may happen in the execution of the duties of his/her office or in relation thereto, unless the same happen through his/her dishonesty.

PART 6 - FINANCIAL MATTERS

65 Source of funds

- (a) The funds of the Club may be derived from joining fees, annual subscriptions, green fees, donations, fund-raising activities, grants, interest and any other sources approved by the Committee.

66 Management of funds

- (a) The Club must open and maintain an account with a financial institution from which all expenditure of the Club is made and into which all of the Club's revenue is deposited.
- (b) Subject to any restrictions imposed by a general meeting of the Club, the Committee may approve expenditure on behalf of the Club.
- (c) The Committee may authorise the General Manager to expend funds on behalf of the Club (including by electronic funds transfer) up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.

- (d) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two committee members /or a committee member and the general manager.
- (e) All funds of the Club must be deposited into the financial account of the Club no later than 10 working days after receipt.

67 Financial records

- (a) The Club must keep financial records that—
 - (i) correctly record and explain its transactions, financial position and financial performance; and
 - (ii) enable financial statements to be prepared as required by the Act.
- (b) The Club must retain the financial records for 7 years after the transactions covered by the records are completed.
- (c) The General Manager must keep in his or her custody, or under his or her control—
 - (i) the financial records for the current financial year; and
 - (ii) any other financial records as authorised by the Committee.

68 Financial statements

- (a) For each financial year, the Committee must ensure that the requirements under these Rules and the Act relating to the financial statements of the Club are met.
- (b) Without limiting subrule (a), those requirements include—
 - (i) the preparation of the financial statements;
 - (ii) the review or auditing of the financial statements by a registered company auditor;
 - (iii) the certification of the financial statements by the Committee;
 - (iv) the submission of the financial statements to the annual general meeting of the Club, such statements having been sent to persons entitled to receive notice of General meetings not less than seven days previous to the meeting.
 - (v) the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

PART 7 - GENERAL MATTERS

69 Common seal

- (a) The Club has a common seal.
 - (i) a document may only be sealed with the common seal by the authority of the Committee and the sealing must be witnessed by the signatures of two committee members, or by one committee member and the General Manager
 - (ii) the common seal must be kept in the custody of the Secretary.

70 Registered address

- (a) The registered address of the Club is—
 - (i) the address determined from time to time by resolution of the Committee; or
 - (ii) if the Committee has not determined an address to be the registered address—the postal address of the Secretary.

71 Notice requirements

- (a) Any notice required to be given to the Club or the Committee may be given—
 - (i) by handing the notice to a member of the Committee; or
 - (ii) by sending the notice by post to the registered address; or
 - (iii) by leaving the notice at the registered address; or
 - (iv) if the Committee determines that it is appropriate in the circumstances—
 - (i) by email to the email address of the Club or the Secretary; or
 - (ii) by facsimile transmission to the facsimile number of the Club.

72 Custody and inspection of books and records

- (a) Members may on written request inspect free of charge—
 - (i) the register of members;
 - (ii) the minutes of and financial statements submitted at general meetings;
 - (iii) subject to subrule (b), the financial records, books, securities and any other relevant document of the Club, including minutes of Committee meetings.
- (b) The Committee may refuse to permit a member to inspect records of the Club for any reason, including those that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Club and the member is not permitted to make copies of such records.
- (c) The Committee must on request make copies of these rules available to members and applicants for membership free of charge.
- (d) Subject to subrule b), a member may make a copy of any of the other records of the Club referred to in this rule and the Club may charge a reasonable fee for provision of a copy of such a record.
- (e) For purposes of this rule—
 - (i) relevant documents means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Club and includes the following—
 - (i) its membership records;
 - (ii) its financial statements;
 - (iii) its financial records;

- (iv) records and documents relating to transactions, dealings, business or property of the Club.

73 Winding up and cancellation

- (a) The Club may be wound up voluntarily by special resolution.
- (b) In the event of the winding up or the cancellation of the incorporation of the Club, the surplus assets of the Club must not be distributed to any members or former members of the Club.
- (c) Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the Association and which is not carried on for the profit or gain of its individual members.
- (d) The body to which the surplus assets are to be given must be decided by special resolution.

74 Alteration of Rules

- (a) These Rules may only be altered by special resolution of a general meeting of the Club.
 - (b) Any Member entitled to attend and vote at a meeting of the Club and wishing to propose any addition, rescission, alteration or amendment to Statement of Purposes or Rules shall give notice thereof in writing to the Secretary of the Club, together with a copy of the proposed addition, rescission, alteration, or amendment proposed.
 - (c) The proposed addition, rescission, alteration or amendment or any new Purpose, Rule or Rules shall be submitted by the Committee of the Club at the next Annual General Meeting or at an Special General Meeting called for the purpose and if seconded a vote may be taken thereon and shall be decided by a majority of three-quarters of the Members present entitled to vote, or the meeting may be adjourned from time to time as may be deemed necessary.
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