

# RULES OF THE ASSOCIATION / CONSTITUTION

## Name

1. The name of the incorporated association shall be "Park Ridge Active Riding Group Incorporated". Hereafter in these rules called "The Association".

## Objects

2. The objects for which the Association is established are:
  - (1) To promote the ideals of horsemanship and sportsmanship;
  - (2) To improve the standard of adults riding by:-
    - (a) Organising professional instruction for members on a frequent basis in basic flatwork ie. Training days etc
    - (b) Organising closed e.g ribbon days and open competitions in hack and/or dressage and/or showjumping events
    - (c) Encouraging members to compete in open events organised by the Association as well as those organised by other associations, Associations and groups.
    - (d) Organising professional instruction in showjumping as required by members from time to time
  - (3) Encouraging correct care of horses
  - (4) Organising social activities such as trail rides, barbeques etc.

## Powers

3. The powers of the Association are:-
  - (1) To take over the funds and other assets and liabilities of the present unincorporated association known as "Park Ridge Active Riding Group".
  - (2) To subscribe to, become a member of and co-operate with any other association, Association or organisation where incorporated or not, whose objectives are altogether or in part similar to those of the Association provided that the Association shall not subscribe or support with its funds any Association, Association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of rule 28 (10).
  - (3) In furtherance of the objects of the Association to buy, sell and deal in all kinds of articles commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Associations premises.
  - (4) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of or capable of being conveniently used in connection with, any of the objects of the Association: provided that in case the Association shall take or hold property which may be subject to any trusts the Association shall only deal with the same in such manner as is allowed by law having regard to such trusts.
  - (5) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association: to obtain from any such Government or Authority any rights privileges and concessions which the Association may think desirable to obtain, carry out, exercise and comply with any such arrangements, rights, privileges and concessions.

- (6) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workman and other persons as may be necessary or convenient for the purpose of the Association.
- (7) To remunerate any person or body corporate for services rendered, or to be rendered and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of unsecured notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in furtherance of its objects.
- (8) To construct, improve, maintain, develop, work, manage, carry out, alter or control, any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, caring out, alteration or control thereof.
- (9) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit.
- (10) To take or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.
- (11) In furtherance of the objects of the Association to lend and advance money or give credit to any person or body corporate, to guarantee and give guarantees of indemnities for the payment of monies or the performance of contracts or obligations by any person or body corporate, and otherwise assist any person or body corporate.
- (12) To borrow or raise money either alone or jointly with any person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, or charge, lien or other security upon the whole or any part of the incorporated Association's property or assets present or future and to purchase, redeem or pay-off any such securities.
- (13) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- (14) In furtherance of the objects of the Association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association.
- (15) To take or hold mortgages, liens or charges, to secure payment of the purchase price or any unpaid balance of the purchase price, of any part of the Association's property of whatsoever kind sold by the Association from purchasers and others.
- (16) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the proviso in sub-rule (4).
- (17) To take such steps by personal or written appeals, public meetings or otherwise, as may be from time to time by deemed expedient from the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise.
- (18) To print and publish any newspapers, periodicals, books, or leaflets that the Association may think desirable for the promotion of its objects.
- (19) In furtherance of the objects of the Association to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its members to an extent at least as great as that imposed upon the Association under or by virtue of rule 28 (10).

- (20) In furtherance of the objects of the Association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- (21) In furtherance of the objects of the Association to transfer all or part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- (22) To make donations for patriotic, charitable or community purposes.
- (23) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

#### **CLASSES OF MEMBERS**

- 4. (1) The membership of the Association shall consist of ordinary members and any of the following classes of members:-
  - (a) Life members
  - (b) Honorary members
  - (c) Day event membership - Day membership @\$20 per rider for non EA riders for one week (1) from date of event or postponement there of.
- (2) (a) Any person who is fourteen (14) years or more, interested in the objects of the Association may apply for ordinary membership.
  - (b) Any person fourteen years or age who has significantly advanced the objects of the Association may be elected a Life member at an Annual General Meeting.
  - (c) Any person fourteen years or age who is not an ordinary member of the Association, may be elected an honorary member at any general meeting in return for services provided honorary for the Association.
  - (d) Ordinary members of the Association may be either individual members paying full membership fees or in the case of additional persons in the same household they may apply for discount membership at half the full membership per person. Only one person in a household which has been elected to apply for discount membership to have voting right.
- (3) The number of members in each class of membership is unlimited.

#### **MEMBERSHIP**

- 5. (1) Every person who at the date of incorporation of the Association was a member of the unincorporated association and who on or before the 25th day of February, 1987 agrees in writing to become a member of the Association shall be admitted by the Management Committee to the same class of membership of the Association as that member held in the unincorporated association. Every member of the Association who previously to his agreeing to become a member of the Association has paid his subscription due on the 31st day of January 1986 as a member of the unincorporated association, shall not be liable to pay any further sum by way of annual subscription to the Association for the period prior to the 31st day of January, 1987.
- (2) Every applicant for any class of membership of the Association (other than the members of the unincorporated association referred to in sub-rule (1)) shall make application for membership in the prescribed manner which shall be either in writing on the Association application form online via the Association's electronic membership portal. Membership will not be valid until the application has been approved by the management committee, either at its next meeting or via a "flying minute".

- (3) A person cannot apply to become a Life or Honorary member. One is elected by the Association to become a Life or Honorary member.

(a) A member of the Association may nominate a person for Life membership, the nomination must be seconded by another member. The nomination and reason for the nomination must be in writing and published in an issue of the Association's newsletter which must be distributed to members at least seven (7) days before the Annual General Meeting at which the members will vote on the resolution to elect the nominee a life member;

(b) A member of the Association may nominate a person for Honorary membership, the nomination must be seconded by another member. The nomination and reason for the nomination must be in writing and published in an issue of the Association's newsletter which must be distributed to members at least seven (7) days before the General Meeting at which the members will vote on the resolution to elect the nominee a honorary member.

#### **MEMBERSHIP FEES**

6. (1) The membership fees for an ordinary membership shall be such sum as the Management Committee shall from time to time at any Management Committee meeting so determine.
- (2) There are no membership fees for Life and/or Honorary membership.

#### **ADMISSION AND REJECTION OF MEMBERS**

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

#### **TERMINATION OF MEMBERSHIP**

8. (1) A member may resign from the Association at any time by giving notice in writing to the secretary. Such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect on that later date.
- (2) If a member –
  - (a) is convicted of an indictable offence or
  - (b) fails to comply with any of the provision of these rules or
  - (c) has membership fees in arrears for a period of two months or more or
  - (d) conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Association. The management Committee shall consider whether his membership shall be terminated.
- (3) The member concerned shall be given a full and fair opportunity of presenting his case and if the Management Committee resolves to terminate his membership it shall instruct the secretary to advise the member in writing accordingly.

## **APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

9. (1) A person whose application for membership has been rejected or whose membership has been terminated may within one month of receiving written notification thereof, lodge with the secretary written notice of his intention to appeal against the decision of the Management Committee.
- (2) Upon written notification of intention to appeal against rejection or termination of membership the secretary shall convene, within three months of the date of receipt by him of such notice, a general meeting to determine the appeal. At any such meeting the applicant shall be given the opportunity to present fully his case and the Management Committee or those members thereof who rejected the application for membership or terminated the membership shall be determined by the vote of the members at such meeting.
- (3) Where a person whose application is rejected, does not appeal against the decision of the Management Committee within the time prescribed by those rules or so appeals but the appeal is unsuccessful, the secretary shall forthwith refund the amount of any fee paid.

## **REGISTER OF MEMBERS**

10. (1) The Management Committee shall cause a register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the Association and the dates of their admission.
- (2) Particulars shall also be entered into the register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the Management Committee or the members at any general meeting may require from time to time.
- (3) The register shall be open for inspection at all reasonable times by any member who previously applies to the secretary for such inspection.

## **MEMBERSHIP OF THE MANAGEMENT COMMITTEE**

11. (1) The Management Committee of the Association shall consist of a President, two vice-Presidents, secretary, Assistant secretary, Treasurer, publicity officer and one other committee member, all of whom shall be members (ordinary and/or life) of the Association, and such number of other members as the members of the Association at any general meeting may from time to time elect or appoint.
- (2) At the annual general meeting of the Association, all the members of the Association for the time being shall retire from office, but shall be eligible upon nomination for re-election.
- (3) The election of officers and other members of the Management Committee shall take place in the following manner:-
  - (a) any two members of the Association shall be at liberty to nominate any other member to serve as an officer or other member of the Management Committee.
  - (b) the nomination, which shall be in writing and signed by the member and his proposer and seconder, shall be lodged with the secretary at least fourteen (14) days before the annual general meeting at which the election is to take place.
  - (c) A list of candidates names in alphabetical order with proposers and seconder shall be posted in a conspicuous place in the office or usual meeting place of the Association for at least seven (7) days immediately preceding the AGM.
  - (d) balloting list shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the annual general meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.

(e) should at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.

12. Any member of the Management Committee may resign from membership of the Management Committee at any time by giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect on that later date or such member may be removed from office at a general meeting of the Association where that member shall be given an opportunity to present fully his case. The question of removal shall be determined by the vote of the members present at such a general meeting.

#### **VACANCIES ON MANAGEMENT COMMITTEE**

13. (1) The Management Committee shall have the power at any time to appoint any member of the Association to fill any casual vacancy on the Management committee until the next Annual General Meeting.
- (2) The continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management Committee, but if and so long as their number is reduced by the number fixed by or pursuant to those rules as the necessary quorum of the Management Committee, the continuing member or members may act for the purposes of increasing the number of members of the Management Committee to that number or of summoning a general meeting of the Association, but for no other purpose.

#### **FUNCTION OF MANAGEMENT COMMITTEE**

14. (1) Exempt as otherwise provided by these rules and subject to resolutions of the members of the Association carried at any general meeting of the Management Committee-
- (a) Shall have the general control and management of the administration of the affairs, property and funds of the Association
- and
- (b) shall have authority to interpret the meaning of these rules and any matter relating to the Association on which these rules are silent.
- (2) The Management Committee may exercise all the powers of the Association:-
- (a) to borrow or raise or secure payment of money in such manner as the members of the Association think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Association's property, both present and future and to purchase, redeem or pay off any securities.
- (b) to borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Brisbane for overdrawn accounts on money lent, whether the term of the loan shall be short or long, and to mortgage or charge its property or any part of thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association and to provide and pay off any such securities.
- (c) to invest in such manner as the members of the Association may from time to time determine.
- (d) Management committee members are bound by duties under the relevant state or territory incorporated associations legislation, Standard 5 of the ACNC Governance Standards under the ACNC Act and the common law. These duties include the duty to act in good faith, not to act for an improper purpose, act with care and diligence, act in the organisation's best

interests and avoid conflicts of interests. The duty to act with care and diligence requires management committee members to inform themselves of the organisation's financial position and avoid insolvent trading.

#### **MEETINGS OF THE MANAGEMENT COMMITTEE**

15. (1) The Management Committee shall meet at least once every calendar month to exercise its functions.
  - (2) A special meeting of the Management Committee shall be convened by the secretary on the requisition in writing signed by not less than one-third of the members of the Management Committee which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.
  - (3) At every meeting of the Management Committee a simple majority of a number equal to the number of members elected and / or appointed to the Management Committee as at the close of the last general meeting of the members, shall constitute a quorum.
  - (4) Subject as previously provided by this rule, the Management Committee may meet together and regulate its proceedings as it thinks fit; provided that questions arising at any meeting of the Management committee shall be decided by a majority of votes and in the case of an equality of votes, the question shall be deemed to be decided in the negative.
  - (5) A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Association in which he is interested, or any matter arising thereout, and if he does so vote his vote shall not be counted.
  - (6) Not less than fourteen (14) days notice shall be given by the secretary to members of the Management Committee of any special meeting of the Management Committee. Such notice shall state the business to be discussed thereat.
  - (7) The President shall preside as chairman at every meeting of the Management Committee, or if there is no president, or if at any meeting he is not present within ten (10) minutes after the time appointed for holding the meeting, one of the vice-presidents shall be chairman or if vice-president is not present at the meeting then the members may choose one of their number to be chairman of the meeting.
  - (8) If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting if convened upon the requisition of members of the Management Committee shall lapse. In any other case, it shall stand adjourned to the same day in the next week at the same time and place, or to such other date and such other time and place as the Management Committee may determine and if at the adjourned meeting a quorum is not present within half an hour from the time of the appointed meeting, the meeting shall lapse.
16. (1) The Management Committee may delegate any of its powers to a sub-committee consisting of such members of the Association as the Management Committee thinks fit. Any sub-committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Management Committee.
  - (2) A sub-committee may elect a chairman at its meetings. If no such chairman is elected, or if at any meeting the chairman is not present within ten (10) minutes after the time appointed for holding the meeting, the members present may choose one of their number to be chairman of the meeting.
  - (3) A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the questions shall be decided in the negative.

17. All acts done by a meeting of the Management Committee or of a sub-committee or by any person acting as a member of the Management Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Management Committee or person acting as foresaid, or that the member of the Management Committee or any of them was disqualified, be as valid as if every such person had been duly appointed and was qualified to be member of the Management Committee.
18. A resolution in writing signed by all members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be as valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more members of the Management Committee.
19. Where there is a material personal interest in a matter being considered at a committee meeting, that member must as soon as they are aware of the interest: (a) disclose both the nature of and extent of the interest to the committee; and (b) disclose the same information at the next general meeting of the association. Additionally, where there is a material personal interest, that member must: (a) be excluded from the meeting while the matter is being considered; and (b) must not vote on the matter. Any such declared personal interest should be recorded in the minutes of the meeting. The committee will maintain a register of any declared personal interests.
20. Remunerable Benefits: The management committee must record any remuneration paid to a member and report the same to the membership at general meetings. Remuneration is defined as:
  - salary, wages and allowances
  - commissions and rewards.
  - termination and post-employment benefits paid by the association, including retirement benefits
  - payment of membership fees by the association, or waiver of membership fees
  - payment of personal insurance premiums by the association
  - use of the association's services or property for private purposes – e.g. a motor vehicle, house, office or secretarial services (for free or at a discounted rate)
  - education fees paid by the association
  - medical fees paid by the association
  - rental expenses
  - personal travel expenses including airfares
  - a gift paid for with the funds of the association (but not including, for example, a gift paid for by a collection from members for the specific and stated purpose of providing the gift)
  - utilities and other general household expenses paid by the association, and
  - benefits from related-party transactions.

#### **ANNUAL GENERAL OR GENERAL MEETINGS**

19. The first general meeting shall be held at such times, not being less than one month or more than three months after the incorporation of the Association, and at such place as the Management Committee may determine.
20. (1) The Annual General Meeting shall be held within three months of the close of the financial year.  
(2) The business to be transacted at every Annual General Meeting shall be:-
  - (a) The receiving of the Management Committee's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Association for the proceeding financial year:
  - (b) The receiving of the auditor's report upon the books and accounts for the preceding financial year.

(c) The election of members of the Management Committee: and

(d) The appointment of an auditor.

21. (1) The secretary shall convene a special general meeting:-
- (a) If directed to do so by the Management Committee or
- (b) on the requisition in writing signed by not less than one-third of the members presently on the Management Committee or not less than the number of ordinary members of the Association which equals double the number of members presently on the Management Committee plus one. Such requisition shall clearly state the reasons why such a special general meeting is being convened and the nature of the business to be transacted thereat: or
- (c) on being given a notice in writing of an intention to appeal against the decision of the Management Committee to reject an application for membership or terminate the membership of any person.
22. (1) At any general meeting the number of members required to constitute a quorum shall be the number of members presently on the Management Committee plus one.
- (2) No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business. For the purposes of this rule "Member" includes a person attending as a proxy or as representing a corporation which is a member.
- (3) If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon requisition of members of the Management Committee or the Association shall lapse. In any other case it shall stand and at such other time and place as the Management Committee shall determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.
- (4) The Chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.
23. (1) The secretary shall convene all general meetings of the Association by giving no less than fourteen (14) days notice of any such meeting to members of the Association.
- (2) The manner by which such notice shall be given shall be determined by the Management Committee: provided that notice of any meeting convened for the purpose of hearing and determining the appeal of a person against the rejection or termination of his membership by the Management Committee shall be given in writing. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.
24. Unless otherwise provided by these rules, at every general meeting –
- (1) The President shall preside as chairman, or if there is no president, or if he is not present within fifteen (15) minutes after the time appointed for the holding of the meeting or is unwilling to act, one of the vice-presidents shall be chairman or if a vice-president is not present or is unwilling to act the members present shall elect one of their number to be chairman of the meeting.
- (2) The chairman shall maintain order and conduct the meeting in a proper and orderly manner.
- (3) Every question, matter or resolution shall be decided by a majority of votes of the members present.

- (4) Every adult member shall be entitled to vote and in the case of an equality of votes the chairman shall have a second or casting vote. Provided that no member shall be entitled to vote at any general meeting if his annual subscription is more than one month in arrears at the date of the meeting.
- (5) Voting shall be by a show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot. The chairman shall appoint two members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded.
- (6) A person may vote in person or by proxy or by attorney and on show of hands. Every person present who is a member or representative of a member shall have one vote and in a secret ballot every member present in person or by a proxy or by attorney or other duly authorised representative shall have one vote.
- (7) Where it is desired to afford members an opportunity of voting for or against a resolution, the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit:

**PROXY VOTING FORM – PRARG INC**

I..... being a member of the abovenamed organisation hereby appoint..... as my proxy to vote for me on my behalf at the AGM of the Association to be held on the ..... Day of ..... 20... and any adjournment thereof.

Signature.....Signed this..... day of ....., 20...

This form is to be used to vote for/against..... the resolution. \* strike out whichever is not desired.

(Unless otherwise instructed, the proxy may vote as he thinks fit).

- (8) The instrument appointing a proxy shall be in writing, in the common or usual form under the hand of the appointer or of his attorney duly authorised in writing or, if the appointer is a corporation, either under seal or under the hand of an officer or attorney duly authorised. A proxy may but need not be a member of the Association. The instrument appointing the proxy shall be deemed to confer authority to demand or join in demanding a secret ballot.
- (9) The instrument appointing a proxy shall be deposited with the secretary prior to the commencement of any meeting or adjournment meeting in which a person named in the instrument proposes to vote.
- (10) The secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the secretary for that inspection. For the purpose of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting shall be signed by the chairman of that meeting or the chairman of the next succeeding Management Committee meeting verifying their accuracy. Similarly the minutes of every general meeting shall be signed by the chairman of that meeting or the chairman of the next succeeding general meeting. Provided that the minutes of any annual general meeting shall be signed by the chairman of that meeting or the chairman of the next succeeding general meeting or annual general meeting.

## **BY LAWS**

25. The Management Committee may from time to time make, amend or repeal by laws, not inconsistent with these rules, for the internal management of the Association and any by-laws may be set aside by a general meeting of members.

## **ALTERATION OF RULES**

26. Subject to the provisions of the Associations Incorporation Act 1981, these rules may be amended, rescinded or added to from time to time by a special resolution carried out at any general meeting, provided that no such amendment, rescission or addition shall be valid unless the same shall have been previously submitted to and approved by the Under Secretary, Department of Justice, Brisbane.

## **COMMON SEAL**

27. The Management Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and shall be countersigned by the secretary or by a second member of the Management Committee or by some other person appointed by the Management Committee for that purpose.

## **FUND AND ACCOUNTS**

28. (1) The funds of the Association shall be banked in the name of the Association in such a bank as the Management Committee may from time to time direct.
- (2) Proper books and accounts shall be kept and maintained either written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of like nature.
- (3) All monies shall be banked as soon as practicable after the receipt thereof.
- (4) All accounts shall be paid by bank transfer authorised by any two of the president, secretary, treasurer or other member authorised from time to time by the Management Committee.
- (5) Funds will be transferred to the Association debit card as required. All such transfers will be authorised by two Management Committee members as detailed in 28(4) above.
- (6) The Management Committee shall determine the amount (if any) of petty cash which shall be kept on the imprest system.
- (7) All expenditure shall be approved or ratified at a Management Committee meeting.
- (8) As soon as practicable after the end of each financial year, the treasurer shall cause to be prepared a statement containing particulars of:-
- (a) The income and expenditure of the financial year just ended;
- and
- (b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of the year.
- (9) All such statements shall be reviewed and ratified as required by the Office of Fair Trading and the treasurer will present the financial statements and annual report at the Annual General Meeting next following the financial year to which the report relates.
- (10) The income and property of the Association whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association provided that nothing herein contained shall prevent the payment in good faith or interest to any such member in respect of monies advanced by him to the Association or otherwise owing

by the Association to him or of remuneration to any officers or servants of the Association or to any member of the Association or other person in return for any services actually rendered to the Association provided further that nothing herein contained shall be construed so as to prevent payment to any member for out of pocket expenses, money lent, reasonable and proper rent for premises demised or let to the Association.

#### **DOCUMENTS**

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

#### **FINANCIAL YEAR**

30. The financial year of the Association shall close on 30 September in each year.

#### **DISTRIBUTION OF SUPPLUS ASSETS**

31. If the Association shall be wound up in accordance with the provisions of the Associations Incorporations Act 1981, and there remains after satisfaction of all its debts and liabilities, and property whatsoever, the same shall not be paid or distributed among the members of the Association but shall be given or transferred to the Pony Riding for the Disabled and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as imposed on the Association under or by virtue of rule 28(10) such institution to be determined by the members of the Association.

#### **LIABILITY OF MEMBERS**

32. No member of the Association shall be liable for the payment of the debts and liabilities of the Association beyond the property of the Association in his hands.

#### **COPIES OF THE CONSTITUTION AND BY-LAWS**

33. Each member is entitled to receive a copy of the constitution and by-laws as they stand at the time of his becoming a member. In the case of a person who is a member at the time of its corporation, he is entitled to receive a copy of the constitution that is approved by the Under Secretary, Department of Justice. Additional copies of the constitution and by-laws may be obtained from the secretary for the cost of the documents requested.

#### **GRIEVANCE PROCEDURE**

34. The Association has agreed to adopt the Queensland Government Association Grievance Procedure August 2022, which can be found at <https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/ec5ce24d-0ef0-4dc3-9e44-f9f8eaa10d39/example-internal-grievance-procedure.pdf?ETag=75103996abb09606c4d035297f3f6f66>. A copy of the Grievance Procedure will be made available to a member of request.