

# PALMWOODS MEMORIAL HALL ASSOCIATION INC. CONSTITUTION

---

## 1 NAME

The name of the incorporated association is Palmwoods Memorial Hall Association Inc. (*the Association*).

## 2 OBJECTS

The object of the Association is to manage the recreational and entertainment centre for the town of Palmwoods and district.

## 3 POWERS

The powers of the Association are:

- (1) To subscribe to, become a member of and co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to support with its funds any club, 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 33 (3).
- (2) 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 Association's premises.
- (3) 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 purpose 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 any 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.
- (4) 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 it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- (5) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.
- (6) 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 any 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 the furtherance of its objects.
- (7) 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 interest, and to contribute to, subsidise or otherwise

assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.

- (8) To invest and deal with the money of the Association not immediately required in such a manner as may from time to time be thought fit, subject, where applicable, to regulation 32(14) of the Collections' Regulations 1975.
- (9) To take or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.
- (10) 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 or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate.
- (11) To borrow or raise money either alone or jointly with any other 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, 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.
- (12) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferrable instruments.
- (13) 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;
- (14) 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, or any money due to the Association from purchasers and others.
- (15) 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 to the proviso in sub-rule(3).
- (16) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise.
- (17) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its object.
- (18) 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 or their members to an extent as least as great as that imposed upon the Association under or by virtue of rule 33(3).
- (19) 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.
- (20) In furtherance of the objects of the Association to transfer all or any 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.
- (21) To make donations for patriotic, charitable or community purposes.

- (22) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged.
- (23) To do all such other things as are incidental or conducive to the attainment of the objects and exercise of the powers of the Association.

#### **4 CLASSES OF MEMBERS**

The membership of the Association shall consist of the following classes of members:

- (a) Life Members
- must have 25 years continuous service;
  - must support the objects of the association;
  - must regularly attend general meetings to have voting rights at meetings;
  - eligible for election to the management committee;
  - voting rights at general meetings and at annual general meeting.
- (b) Ordinary Members
- numbers limited to the organisation's needs and capacity;
  - must support the objects of the association;
  - must regularly attend general meetings to have voting rights at meetings;
  - eligible for election to the management committee.
- (c) Casual Members
- numbers limited to the organisation's needs and capacity;
  - must be a volunteer for a specific event or project;
  - no voting rights;
  - not eligible for election to the management committee.

#### **5 MEMBERSHIP**

- (1) Each person who at the date of the application for the amendment to the constitution was a member of the incorporated association shall retain all rights and privileges until the next general meeting when all subscriptions will be due.
- (2) An applicant for membership of the Association must be proposed by one ordinary member of the Association who has voting rights (the proposer) and seconded by another ordinary member who has voting rights (the seconder).
- (3) An application for membership must be:
- (a) in writing; and
  - (b) signed by the applicant and the applicant's proposer and seconder; and
  - (c) in the form decided by the Management Committee.
- (4) Upon receipt of the membership application form and membership subscription fee, the applicant will be considered for admission as a member of the Association.

#### **6 MEMBERSHIP FEES**

- (1) The membership fee for each ordinary membership and for each other class of membership:
- (a) is the amount decided by the members from time to time at a general meeting and
  - (b) is payable when, and in the way, the management committee decides.
- (2) Membership fees are non-refundable.
- (3) Membership fees are for the year from 1 July. Fees are not pro-rata'd.

## **7 ADMISSION AND REJECTION OF MEMBERSHIP**

- (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 the 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 immediate notice of such acceptance or rejection.

## **8 WHEN MEMBERSHIP ENDS**

- (1) A member may resign from the Association at any time by giving notice in writing to the Secretary, or if the member resigning is the Secretary, then notice must be given to the Chairperson. 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 that member –

- (a) is convicted of an indictable offence; or
- (b) fails to comply with any of the provisions of these rules; or
- (c) has memberships fees in arrears for at least one month; or
- (d) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the Association,

the Management Committee shall consider whether his/her 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.

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

- (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 receipt of a 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/her of such notice, a general meeting to determine the appeal.
- (3) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (4) Also, the Management Committee and the members of the committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.

- (5) An appeal shall be determined by a majority vote of the members present and eligible to vote at the meeting.

## **10 REGISTER OF MEMBERS**

- (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.
- (4) However, the management committee may, on the application of a member of the association, withhold information about the member (other than the members full name) from the register available for inspection if the management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

## **11 MEMBERSHIP OF MANAGEMENT COMMITTEE**

- (1) The Management Committee of the Association shall consist of a President, Vice-President, Secretary and Treasurer all of whom shall be members 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 Management Committee 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 days before the annual general meeting at which the election is to take place.
  - (c) A list of the candidates' names in alphabetical order with the proposers' and seconders' names, shall be posted in a conspicuous place in the office or usual place of meeting of the Association for at least seven days immediately preceding the annual general meeting.
  - (d) Balloting lists 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 RESIGNATION, REMOVAL OR VACATION OF OFFICE OF MANAGEMENT COMMITTEE**

- (1) 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 (or

Chairperson if that member is the Secretary) but such resignation shall take effect at the time such notice is received by the Secretary (or Chairperson) unless a later date is specified in the notice when it shall take effect on that later date.

- (2) A member may be removed from office at a general meeting of the Association where that member shall be given the opportunity to fully present his case. The question of removal shall be determined by the vote of the members present at such a general meeting.

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

- (1) The Management Committee shall have 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 despite a casual vacancy on the Management Committee.
- (3) However if the number of committee members is less than the number fixed under rule 16(1) as a quorum of the Management Committee, the continuing members may act only to –
  - (a) increase the number of Management Committee members to the number required for a quorum; or
  - (b) call a general meeting of the Association.

### **14 FUNCTIONS OF THE MANAGEMENT COMMITTEE**

- (1) Except as otherwise provided by these Rules and subject to resolutions of the members of the Association carried at any general meeting, the Management Committee shall:
  - (a) have the general control and management of the administration of the affairs, property and funds of the Association; and
  - (b) 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, raise or secure the payment of amounts in a way the members of the association decide; and
  - (b) to secure the amounts mentioned in paragraph (a) 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, including by the issue of debentures (perpetual or otherwise), charged upon the whole or part of the Association's property, both present and future; and
  - (c) to purchase, redeem or pay off any securities issued; and
  - (d) to borrow amounts from members and pay interest on the amounts borrowed,
  - (e) to mortgage or charge the whole or part of its property; and
  - (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association; and
  - (g) to provide and pay off any securities; and
  - (h) to invest in a way the members of the Association may from time to time decide.

- (3) For subrule (2)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by—
  - (a) the financial institution for the association; or
  - (b) if there is more than one financial institution for the association - the financial institution nominated by the Management Committee.

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

- (1) The Management Committee shall meet at least once every calendar month to exercise its functions.
- (2) Notice of a special meeting is to be given in the way decided by the Management Committee and clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted.
- (3) Subject as previously provided in 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 equality of votes, the question shall be deemed to be decided in the negative.
- (4) 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.
- (5) The President shall preside as Chairperson at every meeting of the Management Committee, or if there is no President, or if at any meeting the President is not present, within ten minutes after the time appointed for holding the meeting, the Vice-President shall be Chairperson or if the Vice-President is not present at the meeting, then the members may choose one of their number to be Chairman of the meeting.

## **16 QUORUM FOR, AND ADJOURNMENT OF, MANAGEMENT COMMITTEE MEETINGS**

- (1) At a Management Committee meeting, three (3) members elected and/or appointed to the Management Committee shall constitute a quorum.
- (2) If there is no quorum within 30 minutes after the time fixed for a Management Committee meeting called on the request of the members of the committee, the meeting lapses.
- (3) If there is no quorum within 30 minutes after the time fixed for a Management Committee meeting called other than on the request of the members of the committee:
  - (a) the meeting is to be adjourned to the same day in the next week at the same time and place; or
  - (b) the members of the Management Committee who are present are to decide the day, time and place of the adjourned meeting.
- (4) If, at an adjourned meeting mentioned in subrule (3), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

## **17 APPOINTMENT OF SUB-COMMITTEES**

- (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 Chairperson of its meetings. If no such Chairperson is elected, or if at any meeting the Chairperson is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their members to be Chairperson 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 question shall be deemed to be decided in the negative.

## **18 ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS**

- (1) An act performed by the Management Committee or of a sub-committee or a person acting as a member of the Management Committee is taken to have been validly performed.
- (2) Subrule (1) applies even if the act was performed when –
  - (a) there was a defect in the appointment of a member of the Management Committee, sub-committee or person acting as a member of the Management Committee; or
  - (b) a Management Committee member, sub-committee member or person acting as a member of the Management Committee was disqualified from being a member.

## **19 RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING**

- (1) A written resolution signed by each member of the Management Committee is as valid and effectual as if it has been passed at a committee meeting that was properly called and held.
- (2) A resolution mentioned in subrule (1) may consist of several documents in like form, each signed by one or more members of the committee.

## **20 ANNUAL GENERAL MEETING**

- (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 preceding 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 GENERAL MEETING**

- (1) The Secretary shall convene a general meeting -
  - (a) when 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 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 or appeal against the decision of the Management Committee to reject an application for membership or to terminate the membership of any person.
- (2) The Secretary must give at least 14 days notice of the meeting to the members of the Association.
  - (3) The Management Committee may decide the way in which the notice must be given.
  - (4) However, notice of the following meetings must be given in writing –
    - (a) a meeting called to hear and decide the appeal of a person against the Management Committee’s decision –
      - (i) to reject the person’s application for membership of the Association; or
      - (ii) to terminate the person’s membership of the Association.
    - (b) a meeting called to hear and decide a proposed special resolution of the Association.
  - (5) A notice of a general meeting must state the business to be conducted at the meeting.

## **22 QUORUM FOR AND ADJOURNMENT OF GENERAL MEETING**

- (1) The quorum for a general meeting is three (3) members elected or appointed to the Management Committee at the close of the Association’s last general meeting 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 standing as a proxy or as representing a corporation which is a member.
- (3) If there is no quorum within 30 minutes after the time fixed for a general meeting called other than on the request of members of the Management Committee or the Association –
  - (a) the meeting is to be adjourned for at least 7 days; and
  - (b) the management committee is to decide the day, time and place of the adjourned meeting and if at the adjourned meeting a quorum is not present within 30 minutes from the time appointed for the meeting, the members present shall be a quorum.
- (4) The Chairperson may, with the consent of any meeting at which a quorum is present (and shall if directed by the meeting), adjourn the meeting from time to time and from place to place.
- (5) The Secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- (6) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

## 23 PROCEDURE AT GENERAL MEETING

- (1) Unless otherwise provided by these rules, at every general meeting –
  - (a) the President shall preside as Chairperson; and
  - (b) if there is no President or if the President is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the Vice-President shall be the Chairperson or if the Vice-President is not present or is unwilling to act then the members present must elect one of their number to be Chairperson of the meeting; and
  - (c) the Chairperson shall conduct the meeting in a proper and orderly way.

## 24 VOTING AT GENERAL MEETING

- (1) At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present.
- (2) Each member present and eligible to vote is entitled to one vote only and, if the votes are equal, the Chairperson has a casting vote as well as a primary vote.
- (3) A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.
- (4) Voting shall be by a show of hands or a division of members, unless not less than one-fifth of the members demand a ballot, in which event there shall be a secret ballot.
- (5) If a secret ballot is held, the chairperson must appoint two members to conduct the secret ballot in the way the Chairperson decides.
- (6) The result of a secret ballot as declared by the Chairperson is taken to be a resolution of the meeting at which the ballot was held.
- (7) A member may vote in person or by proxy or by attorney and on a show of hands every person present who is a member or a representative of a member shall have one vote.

## 25 PROXIES

- (1) The instrument appointing a proxy shall be in writing and in the following or similar form –

Palmwoods Memorial Hall Association Incorporated:

I, \_\_\_\_\_ of \_\_\_\_\_, being a member of the above named association, appoint \_\_\_\_\_ of \_\_\_\_\_ as my proxy to vote for me on my behalf at the (annual) general meeting of the association, to be held on the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ and at the adjournment of the meeting.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ .

Signature

This form is to be used \* in favour of \_\_\_\_\_  
\*against \_\_\_\_\_ .the resolution

\*strike out whichever is not desired

- (2) The instrument appointing a proxy must –
  - (a) if the appointer is an individual – be signed by the appointer or the appointer’s attorney properly authorised in writing; or
  - (b) if the appointer is a corporation – be under seal or be signed by a properly authorised officer or attorney of the corporation.
- (3) A proxy may but need not be a member of the Association.
- (4) The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.
- (5) Each instrument appointing a proxy must be given to the Secretary before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote.
- (6) Unless otherwise instructed by the appointer, the proxy may vote as the proxy considers appropriate.

## **26 MINUTES OF MEETINGS**

- (1) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting, general meeting and annual general meeting are entered into a minute book to be open for inspection at all reasonable times by any member who previously applies to the Secretary for that inspection.
- (2) To ensure the accuracy of the minutes, the minutes of each meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy.

## **27 BY-LAWS**

- (1) The Management Committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Association.
- (2) A by-law may be set aside by a vote of members at a general meeting of the Association.

## **28 ALTERATION OF RULES**

- (1) Subject to the provisions of the Associations Incorporation Act 1981, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
- (2) However, an amendment, repeal or addition is valid only if it is registered by the chief executive.

## **29 COMMON SEAL**

- (1) The Management Committee must ensure the Association has a common seal.
- (2) The common seal must be –
  - (a) kept securely by the Management Committee; and
  - (b) used only under the authority of the Management Committee.

- (3) Each instrument to which the seal is attached must be signed by a member of the Management Committee and countersigned by –
  - (a) the Secretary; or
  - (b) another member of the Management Committee; or
  - (c) someone authorised by the Management Committee.

### **30 FUNDS AND ACCOUNTS**

- (1) The funds of the Association must be kept in an account in the name of the Association in a financial institution decided by the Management Committee.
- (2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Association.
- (3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- (4) If a payment is made by cheque, the cheque must be signed by any two of the following –
  - (a) the President;
  - (b) the Vice President;
  - (c) the Secretary;
  - (d) the Treasurer;
- (5) Cheques must be crossed “not negotiable” except those in payment of reimbursements or petty cash recoupment.
- (6) The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system.
- (7) All expenditure must be approved or ratified at a Management Committee meeting.
- (8) On behalf of the Management Committee, the Treasurer must, as soon as practicable after the end of the financial year, ensure a financial statement is prepared containing particulars of:
  - (a) the income and expenditure for 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 that year.
- (9) All such statements shall be examined by the auditor who shall present his report upon such audit to the Secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.
- (10) The income and property of the Association must be used solely in promoting the Association’s objects and exercising the Association’s powers.

### **31 DOCUMENTS**

The Management Committee must ensure the safe custody of books, documents, instruments of title and securities of the Association.

### **32 FINANCIAL YEAR**

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

### 33 DISTRIBUTION OF SURPLUS ASSETS

- (1) This rule applies if the Association –
  - (a) is wound up under part 10 of the Associations Incorporations Act 1981; and
  - (b) has surplus assets.
- (2) The surplus assets must not be distributed among members of the Association.
- (3) The surplus assets must be given to another entity –
  - (a) having objects similar to the Association's objects; and
  - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
- (4) In this rule – **surplus assets** see section 92(3) of the Associations Incorporation Act 1981.