

RULES OF THE ASSOCIATION
of
COUNCIL TO HOMELESS PERSONS QUEENSLAND INC.

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RULES OF THE ASSOCIATION
of
COUNCIL TO HOMELESS PERSONS QUEENSLAND INC.

1. THE NAME

The name of the incorporated association shall be the **COUNCIL TO HOMELESS PERSONS QLD INC.** (in these rules called the 'association')

2. DEFINITIONS

The following definitions apply to these Rules unless they are specifically excluded

Term used	Meaning
<i>Act</i>	means the Associations Incorporation Act as amended from time to time
<i>address for notices</i>	means the registered office of the association or the postal address, facsimile or email address given by the association or the member for the purposes of receiving notices
<i>Associate Member</i>	means a <i>member</i> of the <i>association</i> who is an individual or organisation (this includes reciprocal memberships and Peak bodies) whose application for associate membership has been accepted as provided in the Rules or any person properly authorised to act on their behalf. An associate member is a member of the association for all purposes except that <ol style="list-style-type: none">a) their number shall not count in calculating a quorum of members for a meeting, andb) they shall not be entitled to vote at any General Meeting or Special General Meeting
<i>Chairperson</i>	means the President of the association or any other person appointed to perform the duties of Chairperson of the Management Committee or General Meetings as set out in the Rules
<i>association</i>	means COUNCIL TO HOMELESS PERSONS QLD INC. , incorporated in Queensland as an association

<i>Rules</i>	means the Rules of the association and any policy or procedure lawfully made under the Rules of the association
<i>Generalist Service</i>	means any specialist homeless service (SHS) not set up to specifically target women and children escaping domestic violence or youth
<i>General Meeting</i>	means a meeting of members of the association which has been properly constituted as a General Meeting or a Special General Meeting
<i>given</i>	means given according to the provisions for Notices in clause 18
<i>in writing</i>	means any form of representing words in a printed form including printing facsimile or email as set out in clause 18
<i>Management Committee</i>	means the Management Committee of the association made up of persons elected to the Management Committee or appointed as casual vacancies according to the Rules
<i>member</i>	means a funded service registered as an Ordinary Member or an individual or organisation registered as an Associate Member in the register of members of the association or any person properly authorised to act on their behalf
<i>office bearers</i>	means Secretary, Chairperson, Deputy Chairperson and Treasurer of the Management Committee
<i>Ordinary Member</i>	means a member of the association who is a service that is funded under SHS to provide generalist services or a Service that is providing services to Homeless Persons whose application for ordinary membership has been accepted as provided by the Rules. Ordinary Members <ul style="list-style-type: none"> a) have voting rights as set out in the Rules, and b) are counted when calculating quorum
<i>Organisational Associate Member</i>	means an associate member which is an organisation

<i>Seal</i>	means the common seal of the association
<i>Secretary</i>	means any person appointed to perform the duties of a Secretary of the association under the Rules
<i>Special Resolution</i>	means a resolution passed at a general meeting of the association by the votes of three-quarters (3/4) of the membership who are present and entitled to vote on the resolution.

3. PURPOSE OF THE ASSOCIATION

The Council to Homeless Persons Qld Inc. is a peak not for profit organisation that works with its members both government and non-government to prevent and reduce homelessness across QLD. We represent and promote the important work and interests of our members across the specialist homelessness sector with a view to achieving better outcomes.

Our Vision

A place where everyone is supported by ensuring people who have experienced disadvantage can access programs, services, advice, and support to reach their full potential We will seek opportunities to work in partnership with those who can assist us in achieving this vision and include seeking out opportunities to work in collaboration with our clients, fellow service providers, government and community members.

4. OBJECTIVES

To develop, inspire, support, and sustain a movement of organisations working together to achieve positive futures for people who are homeless or at risk, by:

1. Providing advocacy and support to achieve social justice on behalf of people who form our Target Group
2. Ensuring Accountability, transparency, and quality practice, are delivered to those that are homeless
3. collaborate with other agencies and societies within the community whose objects are compatible with those of the Council to Homeless Persons Queensland
4. Assisting in policy development based on the contribution of all members
5. Building a cross-sector partnerships to improve accessibility to suitable housing options
6. Contributing to research issues of state and national importance to the sector

5. POWERS OF THE ASSOCIATION

- a) In order for the purposes and objectives of the association to be achieved (as set out above), the association has all the powers of an individual as provided for in the Act and Rules

- b) The association may, for example
 - 1. 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 arrangements, rights, privileges and concessions

 - 2. 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 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;

 - 3. make charges for services and facilities it supplies and

 - 4. do other things necessary or convenient to be done in carrying out its affairs

- c) The association may take over the funds, assets and liabilities of the present incorporated association known as the Council for Homeless Persons Queensland Inc.

6. POWERS AND DUTIES OF GENERAL MEETING

6.1 Appeal against decision of Management committee

The General Meeting may seek to overturn a decision by the Management Committee, which relates to the following

- a) Making and changing the policies and procedures of the association

- b) Establishing Subcommittees, the purpose and conduct of such Subcommittees, and terms of appointment of Task Group members

- c) Setting the amounts for annual membership fees and due dates for payment

- d) Rejection of an application for membership

- e) A decision to censure, suspend or expel a member

The procedure for appeal in these circumstances shall be set out in the Rules or policy of the association

7. POWERS OF THE MANAGEMENT COMMITTEE

7.1 Powers of the Management Committee

The management Committee has the power to do all things necessary to carry out the objects and good management of the association that are not specifically reserved for decision by the General Meeting.

The Management Committee has the power to make policies and procedures for the good management of the association.

7.2 Acts not affected by defects or disqualifications

All acts done by any meeting of the Management Committee or of a subcommittee or by a person acting as a member of the Management Committee shall, notwithstanding that it is afterwards discover that there was some defect in the appointment of any such member of the Management Committee or person acting as aforesaid, or that the members of the Management Committee or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the Management Committee.

7.3 Duties of the Management Committee

The Management Committee must act in the best interest of the association as a whole and fulfil the legal duties, which relate to Management Committee members under the Act and the law (See office holders duties).

Office holder's duties

Secretary:

- Bank signatory
- Organize meetings
- Take minutes
- Correspondence
- Annual group membership/registration
- Keeping Charity registration and Fair trading membership current

President:

- Bank signatory
- Chair meetings
- Represents CHPQ at national body and other associated meetings/networking
- Oversee web site
- Delegation

Treasure:

- Bank signatory
- Oversee all financials
- Quarterly reports

Vice - President:

- Bank signatory
- Chair meetings when the president is absent

The Management Committee must meet at least once every four (4) calendar months.

7.4 Keeping minutes of meetings.

The Management Committee must ensure true and accurate minutes are made and kept:

- a) Of decisions concerning applications for membership.
- b) Of all appointments of employees or contractors
- c) Of the names of all members present at all meetings of the association, Subcommittees or Management Committee.
- d) Of the proceedings at all meetings of the association, Subcommittees and Management Committee.

7.5 Minutes to be available for inspections by members

The minutes of Management Committee meetings shall be available for inspection by the member's at all reasonable times on the request of a member to the Secretary.

7.6 Management Committee to report activities to members.

The Management Committee must report honestly and accurately to the members about the activities of the Management Committee by reporting to the General Meeting.

7.7 Management Committee to sign cheques/manage online banking.

All cheques, online banking and other negotiable instruments must be signed by two (2) people.

- a) One person who is either the Secretary, Chairperson, Deputy Chairperson or Treasurer and

b) Another person who is any member of the Management Committee or an employee nominated by the Management Committee.

All amounts of \$100 or over can be paid by Cheque or online banking.

Cheques shall be crossed “not negotiable” except those in payments of wages, allowances or petty cash recouplement’s which may be open.

8. Membership

8.1 Requirements of membership

8.1.1 Members agree to be bound by the rules

The members of the association agree to be bound by the rules which includes policy and procedures made, as if it was a contract.

- a) Between each member and the association
- b) Between the association and each member of the Management Committee
- c) Between a member and each other member

8.1.2 All members agree to notify changes of address

Each member shall notify the Secretary in writing of any change in their address within fourteen (14) days after any change.

8.1.3 Organisational Members agree to notify change of representative

Each organizational member agrees to notify the Secretary of the appointment of any change in its representative within fourteen (14) days after any change in the form approved by the Management Committee. The person nominated by the organisation to represent it as a member shall be the person nominated on the approved form until the organisation properly notifies the Managements Committee of any change.

8.2 Classes of membership

8.2.1 Two classes of membership

There shall be two classes of membership

1. Ordinary member, and
2. Associate member

8.2.2 Ordinary members

An Ordinary member is an organisation whose application for ordinary membership has been accepted as provided by the rules.

8.2.3 Rights of Ordinary Members

Each Ordinary member shall have one (1) vote at any Annual General Meeting, General Meeting or Special Meeting.

Voting rights of organisational members must be exercised as set out in the association's policy or in the rules.

Each Ordinary member present by its representative shall be counted for the purpose of calculating quorum at meetings held according to the rules.

8.2.4 Associate Members

An associate Member is a member of the association who is any individual of an organisation whose application for associate membership has been accepted as provided by the rules.

8.2.5 Rights of associate members

Each Associate member is a member of the association for all purposes except that:

- a) Their number shall not count in calculating a quorum of members for an Annual General Meeting, General Meeting or Special General Meeting.
- b) They shall not be entitled to vote at any Annual Meeting, General Meeting or Special Meeting

8.3 Number of members

The number of ordinary members of the association shall be unlimited

8.4 Application for membership

8.4.1 Applying for membership

An application for membership of the association shall:

- a) Be in writing on a form approved by the Management Committee
- b) Include the written consent of the person or organisation applying for membership
- c) Be given to the Secretary

8.4.2 Application shall be decided by the Management Committee

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 vote of the members of the Management Committee present at the meeting as which such application is being considered shall be accepted as a member to the class of membership applied for.

8.4.3 Payment of membership fees if membership accepted

If the application for membership is successful, and if requested by the Secretary, the member shall pay the relevant membership fees.

The amounts for membership fees and the due date are decided from time to time by the Management Committee.

8.5 Appeal against decision to reject membership application

If the Management Committee rejects the application, the applicant may appeal the decision to the General Meeting as set out in the association's policy.

8.6 Ceasing to be a member

8.6.1 Grounds when membership automatically ceases

A member automatically ceases to be a member:

- a) On their death or in the case of an organisational ordinary member when they are wound up
- b) If they are convicted of an indictable offence
- c) If they have not paid their membership fees for a period of two months after they are due

8.6.2 Cancelling membership for not paying membership fees

a) Before cancelling membership for failing to pay the membership fees under section 8.6.1. The Secretary shall write to the member:

1. Giving them an opportunity to pay the outstanding fees and
2. Notifying them that their membership will be automatically cancelled if the outstanding fees are not paid within 14 days of having been given the notification.

b) If the outstanding fees are not paid within 14 days after the Secretary has given the notice:

1. The Secretary must record in the register of Members that the person's membership has ceased, and
2. Report to the next General Meeting about cancelling the membership

8.7 Decisions by Management Committee which effect membership

8.7.1 Power of Management Committee to censure, suspend or expel a member

The management Committee shall have the power by resolution to censure, suspend or expel a member from the association if any member:

- a) Wilfully refuses or neglects to comply with the rules, or
- b) Is guilty of any conduct which in the opinion of the Management Committee is prejudicial to the interests of the association.

8.7.2 Notice of resolution to censure, suspend or expel a member

A least fourteen (14) days before the Management Committee meeting at which the resolution to expel the member is to be decided, notice of the meeting must be given to the member about whom the resolution is concerned.

The notice of the meeting must contain the following details

- a) When and where the meeting will be held
- b) The intended resolution
- c) The grounds for bringing the resolution
- d) Inviting the member to make a submission in their defence in person, with a friend, or in writing to the Management Committee and in the case of an organisation member, by their representative.

If the Management Committee decides to censure, suspend or expel a member, the Secretary shall inform the member of the outcome within 7 business of the decision

8.8 Resignation of members

A member may at any time resign from the membership of the association by giving notice in writing addressed to the secretary. The resignation will be effective from the time it is given to the secretary.

8.9 Register of members

The secretary shall maintain a register of Members of the association which sets out

- a) The names in full and addresses of all members of the association
- b) The date of admission to and cessation of membership
- c) The class of membership
- d) Other information as required by the Management Committee or the Act

The register shall be open for inspection at all reasonable times by any member who makes a request to the Secretary for an inspection.

9. MEMBERSHIP OF THE MANAGEMENT COMMITTEE

9.1 Eligibility for the membership of the Management Committee

The Management Committee of the Association shall consist of a President, Vice-President, Secretary, Treasurer, all of whom shall be representatives of Specialist Homelessness Services and members of the Association and such numbers of other members as the members of the Association at any general meeting may from time to time elect or appoint.

A person is eligible for membership of the Management Committee if they are

- a) At least 18 years of age
- b) Not a bankrupt
- c) Not a patient within the meaning of the mental Health Act 1974
- d) Not convicted of an offence under the Act
- e) Not convicted of an indictable offence or of an punishable on summary conviction for which the person is sentenced to imprisonment or community service (this does not apply to an offence which is in default of payment of a fine), and

- f) A person nominated as a representative of a Specialist Homelessness Service and an ordinary member in a form approved by the Management Committee

9.2 Number and membership of the Management Committee

a) The Management Committee must consist of (a) the Secretary, Chairperson, Deputy Chairperson and Treasurer, and (b) such other number as the general meeting may from time to time elect or appoint

b) The positions of Secretary, Chairperson, Deputy Chairperson and Treasurer may be decided by the Management Committee after the election of all Management Committee members at the annual General Meeting

9.3 Election of the Management Committee

9.3.1 Management Committee elected at AGM

The office bearers and other members of the Management Committee must be elected by the association at the annual General Meeting (referred to as the AGM)

Each person wishing to be elected or re-elected to the Management Committee must be present at the AGM

9.3.2 Length of time Management Committee members hold office

At each annual general meeting of the association, the members of the management committee must retire from office, but are eligible, on nomination, for re-election.

Any representatives of Specialist Homelessness Services members shall be eligible for re-election or election of the Management Committee

9.3.3 Election of Management Committee members

a) The Management Committee shall set a date for the AGM and shall appoint a returning officer

b) Only persons nominated by ordinary members may be nominated as a candidate

c) The nomination from organisational ordinary members shall

I. be in writing on the form approved by the Management Committee

II. nominate a person to represent the organisation

III. Be signed and sealed by the organisation nominating the person

IV. Be signed by the person accepting the nomination to represent the organisation

V. lodged with the returning officer at least seven (7) days before the date of the AGM

VI. Comply with any other requirements set down by the Management Committee

e) Once the nominations have closed, the returning officer shall place a list of the names of the eligible candidates in alphabetical order in a prominent position at the AGM

f) Each ordinary member present by their representative at the AGM shall be entitled to vote for any number of such candidates not exceeding the number of vacancies

g) If there is an insufficient number of written nominations received, the returning officer must invite and accept nominations at the AGM from the ordinary members present by their representative

h) If the number of candidates is equal to the number of positions on the Management Committee, the returning officer shall declare the candidates elected.

i) If the number of candidates is greater than the number of positions on the Management Committee, the returning officer shall conduct the election by asking ordinary members to vote using a show of hands or otherwise resolved by the general meeting. Candidates receiving the highest number of votes shall fill the available number of positions.

9.4 Ceasing to be a member of the Management Committee

9.4.1 Grounds when Management Committee member automatically loses membership

The position of a member of the Management Committee shall automatically become vacant if the member

- a) Ceases to be a member of the Management Committee under the provisions Act
- b) Becomes bankrupt
- c) Becomes a patient within the meaning of the Mental Health Act 1974
- d) Resigns his or her office by notice in writing given to the association
- e) Ceases to be the person nominated as representing the organisational ordinary member as properly notified by the organisation to the Secretary in writing.
- f) Is absent from three (3) consecutive Management Committee meetings without reasonable grounds

9.4.2 Grounds when general Meeting may vote to remove Management Committee member

a) The position of a member of the Management Committee shall become vacant if the general Meeting passes a resolution to remove the person on the following grounds

i. that there are reasonable grounds which show the person has not complied with their duties as a committee member under the Rules or Act

ii. that the person no longer has the confidence of the General Meeting

- a) A resolution to remove a member from a member from the Management Committee must be passed by a majority of three-quarters (3/4) of the ordinary members present and entitled to vote

9.4.3 Appeal against loss of Management Committee

The Management Committee may appoint casual vacancies to the Management Committee.

The persons appointed as casual vacancies must be eligible under these Rules and the Act to sit as a member of the Management Committee.

10. SECRETARY

If the association has not elected an interim officer as Secretary for the association before its incorporation, the members of the Management Committee must appoint or elect a Secretary for the association within one (1) month after incorporation.

If a vacancy happens in the office of Secretary, the members of the Management Committee must appoint or elect a Secretary within 1 month after the vacancy happens.

The Secretary must be an individual residing in Queensland, or in another State but no more than 65km from Queensland border, who is-

- a) a member of the association's Management Committee appointed by the committee as Secretary and ratified at the next General meeting or
- b) appointed by the Management Committee as Secretary (whether or not the individual is a member of the association).

The Management Committee may elect, and remove the Secretary at any time. If there is a vacancy in the position of secretary the management Committee may elect or appoint a replacement which must be ratified by a resolution passed by a majority of ordinary members at the next General meeting.

11. GENERAL MEETINGS

11.1 First General meeting

The first general Meeting must be held not less than one (1) month, and not more than three (3) months, after the day the association is incorporated.

The management Committee must decide where the meeting is to be held.

The business to be transacted at the first General Meeting must include the appointment of the auditor.

11.2 Annual General Meetings

The first annual General meeting must be held within eighteen (18) months after the day the association is incorporated.

11.3 Annual General meetings

11.3.1 Time and Place of AGM

An AGM must be held at a time and place by the Management Committee and in accordance with the Act.

11.3.2 Holding AGM each calendar year

The Management Committee must ensure an AGM is held each calendar year and within six (6) months after the end of the financial year.

11.3.3 Business at AGM

An AGM must be held in accordance with the Act

The business of an AGM must be as follows

- a) To adopt and confirm the minutes of the previous AGM
- b) To receive and consider reports and recommendations from the Management Committee, members and Subcommittees

- c) The receiving of the statement of income and expenditure, assets and liabilities and of mortgages, charges and securities affecting the property of the association for the last financial year.
- d) To receive and consider the auditor's report and the financial affairs of the association for the last financial year.
- e) To receive and consider the adoption of the audited statement
- f) To elect the Management Committee members
- g) To appoint an auditor
- h) To deal with any other business

11.4 General Meetings

11.4.1 Calling General Meetings

a) General meetings may be called

I. by the Secretary,

II. by the secretary by direction of the Management Committee or

III. By the Secretary upon receiving a written request from ordinary members in the following circumstances

- a) If General Meetings are held monthly, by receiving a request signed by 25% of ordinary members or
- b) If general Meeting are less frequent, by receiving a request signed by 5% of the members setting out the requested purpose of the meeting.

11.4.2 Notice of General Meetings

Notice of a General Meeting shall be given to every member of the association in writing or as agreed by the General Meeting

11.4.3 Attendance at General Meeting

General Meetings are open to all members and each member has the right to speak at such meetings

11.5 Special General Meetings

11.5.1 Purpose of Special General Meetings

a) Special General Meetings are meetings which are association meetings which are not General Meetings

b) Special General Meetings may be called for the purpose of

I. Dealing with items of business which have not been completed at a General Meeting due to insufficient time

II. Dealing with specific urgent business

11.5.2 Calling Special General Meetings

Notice of a General Meeting shall be given to every member of the association in writing

11.6 Quorum at General Meetings and Special General Meetings

a) No business shall be properly agreed upon at any General Meeting or Special General Meeting unless a quorum is present.

b) A quorum consists of at least five (5) ordinary members of the association

11.7 Voting at general meetings or special general meetings

11.7.1 Members must vote in person

Ordinary members who are member organisations must attend a meeting and exercise a vote through their properly nominated representative.

There is no proxy voting allowed, and the provisions relating to proxy voting in the Model Rules are excluded

11.7.2 Resolution must be passed by required majority

- a) Every Ordinary Member shall have one (1) vote and on a poll every Ordinary Member present shall have one (1) vote
- b) A resolution of the General Meeting or Special General Meeting shall be passed by a majority of ordinary members of the Association present and voting
- c) A special resolution is required to pass a proposal to change the association's rules (or for a resolution if required by the Act). A special resolution shall be passed by a majority of at least three quarters (3/4) of the ordinary members who are present and entitled to vote on a resolution

11.7.3 No voting by chairperson

- a) The chairperson shall not exercise a deliberative vote while sitting in the chair. If the chairperson wishes to exercise a deliberative vote they must appoint another person willing to sit in the chair while the item of business is discussed and the vote taken.
- b) In the case of the votes being equal, whether on a show of hands or on a poll, the resolution lapses.

11.7.4 Voting by show of hands

- a) At any General Meeting or Special General Meeting, a resolution put to the vote of the meeting shall be decided on a show of hands as declared by the chair person.
- b) The General Meeting may resolve to hold the vote by secret ballot and if so, the chairperson may resolve to hold the vote by secret ballot and if so the Chairperson shall appoint two persons to conduct the ballot.
- c) Unless a poll is properly requested, a declaration by the Chairperson that a resolution has on a show of hands or by secret ballot has been carried unanimously, or by a particular majority, or lost, and an entry to that effect in the minutes book of the association, is conclusive evidence of the result of the vote on the resolution.

11.7.5 Requesting a poll of votes

- a) A poll may be requested by at least two (2) ordinary members present. The request for a poll must be done before or at the time the Chairperson declares the result of the show of hands.

- b) If a poll is properly requested, it must be taken straight away and in a manner agreed to by the General Meeting
- c) The request for a poll may be withdrawn

11.7.6 Unsuccessful resolutions

If a resolution is unsuccessful, the resolution may not be put again to the same meeting.

11.8 Adjourned Meetings

11.8.1 Adjournment when a quorum is present

- a) The Chairperson may, with the consent, or at the direction, of any meeting at which a quorum is present adjourn the meeting to another time and place
- b) No business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place
- c) If a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting must be given in the same way as the original meeting, except that it is not necessary to state the business to be transacted at the adjourned meeting

11.8.2 Adjournment when a quorum is not present

If within twenty (20) minutes from the time appointed for holding a General Meeting quorum is not present

- a) the meeting must be dissolved if the meeting was convened by a requisition of ordinary members
- b) in any other case, the meeting must be adjourned to the same day in the next week at the same time and place as the Chairperson appoints

11.8.3 Quorum at an adjourned meeting

If at an adjourned meeting a quorum is not present within twenty (20) minutes from the appointed time for holding the meeting

- a) the ordinary members that are present shall constitute a quorum
- b) but in no case shall quorum be less than three Ordinary members

12. MANAGEMENT COMMITTEE MEETINGS

12.1 Calling Management Committee meetings

The Management Committee may meet together to consider and decide business, adjourn or regulate its meetings as it sees fit

A member of the Management Committee may at any time, and the Secretary must on the request of a member of the Management Committee, call a meeting of the Management Committee within 7 days of the request

12.2 Quorum at Management Committee meetings

A quorum of the Management Committee shall be more than half the number of Management Committee members elected at the last AGM.

12.3 Voting at Management Committee meetings

- a) Each member of the Management Committee present shall have one (1) vote
- b) Questions arising at any meeting of the Management Committee must be decided by the majority of votes of members present.
- c) In the case of an equal number of votes for and against a resolution, the resolution lapses
- d) Only Management Committee members have a vote at Management Committee meetings

12.4 No Voting by Chairperson

- a) The Chairperson shall not exercise a deliberative vote while sitting in the chair. If the Chairperson wishes to exercise a deliberative vote they must appoint another person willing to sit in the chair while the item of business is discussed and the vote taken.
- b) In the case of votes being equal, whether on a show of hands or on a poll, the resolution lapses

12.5 No conflict of interest

A member of the Management Committee shall not take part in the Committee's discussion nor vote in relation to any contract or proposed contract with the association in which they have a financial or personal interest which has the potential to be in conflict with the best interests of the association.

If a member of the Management Committee does vote in these circumstances, their vote shall not be counted

12.6 Attendance at Management Committee meetings

Any member of the association may attend a Management Committee and may speak at that meeting unless otherwise decided by a majority of the Management Committee members present at that meeting to exclude the member

12.7 Resolutions in writing

A resolution in writing and signed by three quarters (3/4) of the members of the Management Committee shall be as valid as if it had been passed at a meeting of the Management Committee held in person

12.8 Holding Management Committee meetings by teleconference etc

A Management Committee meeting may be held by way of teleconference or video conference or any other electronic means and it shall be as valid as if it had been held in person

13. THE SEAL

- a) The Management Committee must provide for the safe keeping of the Seal which shall only be used by the authority of the Management Committee
- b) Every document to which the seal is affixed shall be signed by two people of which one is any member of the Management Committee and another who is the Secretary, Chairperson or Treasurer

14. FINANCIAL YEAR

The financial year of the association shall close on 31 December in each year

15. ACCOUNTS

The funds of the association must be kept in the name of the association in a financial institution decided by the Management Committee.

Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the association and the particulars usually shown in books of a like nature.

All moneys shall be deposited as soon as practicable after receipt thereof.

The Management Committee shall determine the amount of petty cash, which shall be kept, on the imprest system.

All expenditure shall be approved or ratified at a Management Committee meeting.

As soon as practicable after the end of each financial year the treasurer shall cause to be prepared a statement containing the 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 the year.

If the association is incorporated within 3 months of the end of the association's financial year, subsection (8) does not apply for the financial year the association is incorporated.

The auditor must examine the statement prepared and present a report on it to the Secretary before the next annual General Meeting following the financial year for which the audit was made.

The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

The association in General Meeting shall from time to time determine at what times and places and on what conditions the accounting and other records of the association must be open to the inspection of members

The books of account shall be kept at the registered office of the association or at such other place or places as the Management Committee shall think fit

16. DOCUMENTS

The Management Committee must provide for the safe custody of books, documents, instruments of title and securities of the association.

17. AUDITORS

Auditors shall be appointed and their duties regulated according to the Act

18. NOTICES

- a) A notice may be given by the association to any member or by a member to the association in the following ways
1. by personal service at the address for notices
 2. by sending it by post to the address for notices
 3. by sending it by facsimile to the address of the notices
 4. by sending it by email to the address for notices
- b) When a notice is sent by post, service of the notice shall be deemed to have been given at the time at which the letter would be delivered in the ordinary course of the post
- c) If sent by facsimile, on the business day next following the day of dispatch providing that the sender receives an "OK" code in respect of the transmission and is not notified by the recipient by close of business of the next business day following the day of dispatch that the transmission was illegible.
- d) If sent by email, on the business day next following date of dispatch, providing that the sender does not receive notice from its ISP that the email has not been delivered.
- e) The signature to any notice to be given must be written
- f) Notices signed by an organisational member must show the organisation's seal and the signatures of two persons authorised to sign on behalf of the organisation

19. INDEMNITY OF MANAGEMENT COMMITTEE MEMBERS

Every member of the Management Committee or officer of the association shall be indemnified out of the assets of the association against any liability arising out of the execution of the duties of their office which is incurred by them in defending any proceedings against them

20. CHANGING THE RULES

These rules may be changed from time to time by special resolution at a General Meeting as provided by the Act and these rules.

Notice of any proposed special resolution shall be in writing and give at least 21 days notice before the meeting to consider the proposals.

Any change to the rules is only valid if it is registered the by the chief executive

21. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ORGANISATION

This section applies if the association is wound-up under part 10 of the Incorporated Associations Act Qld (the Act) and there are surplus assets.

If the organisation is wound up or its endorsement as a deductible gift recipient is revoked (whichever occurs first), any surplus of the following assets shall be transferred to another organisation with similar objects, which is charitable at law, to which income tax deductible gifts can be made.

- Gifts of money or property for the principal purpose of the organisation
- Contribution made in relation to an eligible fundraising event held for the principle purpose of the organisation
- Money received by the organisation because of such gifts and contributions.

“surplus assets” in this rule, has the meaning given by section 92 (3) of the Act.

THIS IS A TRUE COPY OF THE RULES OF THE
ASSOCIATION AS ADOPTED BY RESOLUTION

10TH MAY 2021.

JAZMIN SQUIRE

SECRETARY