

**THE OBJECTS AND RULES
OF
NEWCASTLE DISTRICT BILLIARDS & SNOOKER
ASSOCIATION INC.**

PART 1

Section 1

Objects

- 1 To promote the games of Billiards and Snooker in any way the Association shall think proper.
- 2 To conduct competitions, tournaments and matches.

Section 11

Interpretation

- 1 (1) In these rules, except in so far as the context or subject - matter otherwise indicates or requires -

“the Act” means the Associations Incorporation Act, 1984.

“administrative regulations” means the administrative regulations and measures and the prescription of forms and procedures made by the Committee pursuant to these rules.

The rules of NEWCASTLE DISTRICT BILLIARDS & SNOOKER ASSOCIATION INC. contained herein are in accordance with section 11 and contain those matters specified in Schedule 1

“affiliated organizations” means the clubs, which were affiliated with the former Association immediately before its incorporation, and also includes any other billiards and snooker organization granted affiliation with the Association pursuant to these rules.

“approved club” means a billiards and snooker club or organization affiliated with this Association.

“Association” means the Association named ‘Newcastle District Billiards & Snooker Association Inc.’ incorporated under the act.

“club contact” means the person who is registered with the Association as the contact person for the approved club.

“elected position” means an office or position in the Association other than an office bearer or ordinary member of the Committee.

“financial year” of the Association shall commence on the first day of February and end on the last day of January in the next year.

“full member” means a member of the Association who is entitled under these rules

(a) to receive notice of, and

(b) to attend, and

(c) to vote at

a General Meeting of the Association.

(d) desires to play billiards and/or snooker.

“junior member” means a player member who is under eighteen (18) years of age on the first day of the month of March in any year.

“Newcastle District” means the area constituted by the council of the City of Newcastle, Lake Macquarie, Maitland and Cessnock and the Shire of Port Stephens and any other local government area over which the Association assumes the control for billiards and snooker.

“ordinary member” means a member of the Committee who is not an office bearer of the Association, as referred to in rule **14 (2)**.

“general meeting” means Annual General or Special General Meeting.

“committee meeting” means any meeting by the elected Committee.

“special resolution” Special resolutions are required in only a limited number of circumstances which (among others) include;

- (a) An amendment to the Association’s constitution.
- (b) A resolution by the members that the Association be wound up.

The requirements for a **Special Resolution** are set out in Section 253 of the Corporations Law and are as follows;

- (a) The resolution must be proposed as a **‘Special Resolution’**. It must not be referred to as an **‘Ordinary Resolution’** or a **‘Notice of Motion’**.
- (b) Not less than 21 days written notice of a meeting at which the Special Resolution will be considered must be given to all members eligible to attend and vote on the Special Resolution. The notice to members must specify that the resolution is a Special Resolution.
- (c) The Resolution must be passed by a majority of at least three quarters (3/4) of those members who being eligible to do so vote in person at the meeting.

“ordinary resolution” An Ordinary Resolution requires only a simple majority of those members present and voting at a General Meeting to be passed. Most of the business, which is transacted at a General Meeting, is passed by Ordinary Resolutions. The expression ‘Notice of Motion’ is often used in the agendas of General Meetings. This expression is synonymous with and probably better expressed as a ‘Notice of Resolution’. However, little turns on this terminology.

‘the regulation’ means the Associations Incorporation Regulation, 1985.

‘rules’ means the rules of the Association for the time being in force.

‘Secretary’ means -

- (a) the person holding office under these rules as Secretary of the Association ; or
- (b) where no such person holds that office - the Public Officer of the Association.

‘Special General Meeting’ means a General Meeting of the Association other than an Annual General Meeting.

(2) In these rules -

- (a) a reference to a function includes a reference to a power, authority and duty;
- and

(4)

(b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

(3) The provisions of the Interpretation Act, 1987. apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the act.

(4) The affiliation of a club or organization with the Association effected by the admission of its members as members of the Association shall constitute a several recognition that these Rules, the administrative regulations and the rules of competition have the same binding effect on each of them as these Rules have by the Act on each member of the Association and a several acknowledgment by the affiliates and their respective members of the exclusive control by the Association of the sports of billiards and snooker in the Newcastle District an agreement to refer all protests, claims and disputes between the Association and the affiliates and between each other to the Association for hearing and determination pursuant to these rules.

PART 11 - MEMBERSHIP

Membership Qualifications:

2 A person is qualified to be a member of the Association if, but only if -

- (a)** the person is a person referred to in section **15(1) (a), (b)** or **(c)** of the Act and has not ceased to be a member of the Association at any time after incorporation of the Association under the Act; or
- (b)** the person is a natural person who -
 - (i)** makes a once only application in writing in a form determined by the Committee and until otherwise determined shall be admitted to membership upon registration by his or her club; and
 - (ii)** has been approved for membership of the Association by the Committee of the Association.
 - (iii)** any future change of personal details requires a new application form in writing to be submitted

Nomination for Membership:

3(A) (1) A person shall apply for player membership of the Association upon signing and delivering to the Association the relevant registration form together with the prescribed fees.

- (2)** A nomination of a person for any other form of membership of the Association -
 - (a)** shall be made by a member of the Association in writing in such form as is prescribed by the committee; and

(5)

(b) shall be lodged with the Secretary of the Association.

- (3)** As soon as practicable after receiving a
- (4)** nomination for membership of a new member, temporary membership will be granted, and the Secretary shall refer the nomination to the Committee, which shall determine whether to approve or to reject the nomination. The Committee is not obliged to give any reason if it rejects the nomination.
- (5)** Where the Committee determines to approve a nomination for membership, the Secretary shall, as soon as practicable after that determination, notify the nominee of that approval.
- (6)** The Secretary shall enter the nominee's name in the register of members, and upon the name being so entered; the nominee becomes a member of the Association.

Admission to Membership and Affiliation:

- 3(B) (a)** New delegates of new affiliated clubs or organizations:
- (i)** Any club or organization seeking affiliation with the Association shall make application in writing in a form determined by the Committee and shall lodge the same with the Secretary of the Association.
 - (ii)** The application shall be submitted to a Committee Meeting of the Association for approval. If the nomination is approved, the Committee shall have the right to attach such conditions to the affiliation as may be provided for in the administrative regulations of the Association provided that no such condition or conditions contravene the provisions of the Act or the Regulation or these Rules.
 - (iii)** Where the Committee determines to approve a nomination for affiliation, the Secretary shall, as soon as practicable after that determination, notify the nominee of the approval.
 - (iv)** Upon a grant of membership, the members of the new club or organization shall thereby be entitled to apply for membership of this Association in accordance with the provisions of the Rules of the Association.

Cessation of Membership or Affiliation:

- 4A** A person ceases to be a member of the Association if the person -
- (a)** dies;

(6)

- (b) resigns that membership; or
- (c) is expelled from the Association;

- B** The Affiliation of an affiliated organization shall cease if:
- (a) resigns;
 - (b) if the affiliation is terminated;
 - (c) if being an incorporated body, it is wound up or, being an unincorporated body, becomes (in the opinion of the Committee) defunct, disbanded or dissolved.
 - (d) If it does not within 28 days after written notice from the Association to do so, comply with a direction of the Committee to amend or repeal any of the clauses of its constituent document.
- C** Rules 10 and 11 shall apply mutates mutandis in respect to affiliated organizations.

Membership Entitlements:

- 5**
- (1) All members other than junior members are entitled to receive notice of and vote at any General Meeting of the Association.
 - (2) Junior members are entitled to receive notice of any meeting of the Association but are not entitled to vote thereat.
 - (3) A right privilege or obligation which a person has by reason of being a member of the Association -
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon cessation of the person's membership.

Resignation of Membership:

- 6**
- (1) A member of the Association is not entitled to resign that membership except in accordance with this rule.
 - (2) A member of the Association who has paid all amounts payable by the member to the Association in respect of the member's membership may resign from membership of the Association by first giving notice (being not less than 1 month or not less than such other period as the Committee may determine) in writing to the Secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.

(7)

- (3) Where a member of the Association ceases to be a member pursuant to clause (2), and in every other case where a member ceases to hold membership, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

Register of Members:

- 7 (1) The Public Officer of the Association shall establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association together with the date on which the person became a member and the date upon which the person was born.
- (2) The register of members shall be kept at the principal place of administration of the Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.
- (3) The Secretary shall establish and maintain a register and record therein the names and addresses of the club contacts of each affiliate.

Fees, Subscriptions, etc.

- 8 (1) No member shall be required to pay any joining fee upon admission to the Association.
- (2) Subject to the proviso herein contained, each member shall pay an annual subscription within such time as is prescribed by the committee in the administrative regulations of the Association **provided that**, the committee may reduce or waive the annual subscription of any member if the committee determines that the personal circumstances of the member warrant a reduction or waiver, as the case may be. The annual subscription shall be paid on or before the start of the relevant competition. When a person is admitted to membership for part only of the financial year of the Association, such member shall pay such annual subscription fee up to the end of that financial year as determined by the Committee.

Members' Liabilities:

- 9** The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by rule **8**.

Disciplining of Members:

- 10 (1)** Where the committee is of the opinion that a member of the Association -
- (a)** has persistently refused or neglected to comply with a provision or provisions of these rules or the administrative regulations made under rule 33; or
 - (b)** has willfully acted in a manner prejudicial to the interests of the Association, the Committee may, by resolution -
 - (i)** issue a warning or reprimand to the member;
 - (ii)** impose a monetary penalty on the member;
 - (iii)** expel the member from the Association;
 - (iv)** suspend the member from membership of the Association for a specified period.
- (2)** No member shall be reprimanded, fined, expelled or suspended from the Association unless such member shall by notice in writing from the Secretary at least seven (7) clear days before the meeting of the Committee at which such charge is to be heard be notified of the intended resolution and be requested to be present at the meeting.
- (3)** The member charged shall be entitled to attend the hearing for the purpose of answering the charge orally or in writing, or both, before the resolution relating to the charge is moved.
- (4)** The meeting shall be held within one (1) month of the date of the alleged offence or the date on

which the charge is laid, whichever date is the later.

- (5)** The voting of members of the Committee present shall be by secret ballot and no motion by the Committee to reprimand, fine, expel or suspend the member shall be deemed to be passed unless two thirds of the members of the Committee present vote in favor of such motion.
- (6)** If the member fails to attend at the time and place mentioned without reasonable excuse, the charge or complaint shall be heard and dealt with and the Committee will decide on the evidence before it, his/her absence notwithstanding.

Right of Appeal of Disciplined Member:

- 11 (1)** A member may appeal to the Association in General Meeting against resolution of the Committee which is confirmed under rule 10 (5&6), within 7 days after notice of resolution is served on the member, by lodging with Secretary a notice to that effect.
- (2)** Upon receipt of a notice from a member under clause (1), the Secretary shall convene a General Meeting of the Association to be held within 28 days after the date on which the Secretary received the notice.
- (3)** At a General Meeting of the Association convened under clause (2) -
 - (a)** no business other than the question of the appeal shall be transacted;
 - (b)** the Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; or
 - (c)** the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (4)** If at the General Meeting, the Association passes a special resolution in favor of the confirmation of the resolution, the resolution is confirmed.

Patrons and Life Members:

- 12**
- (a)** The Association may in General Meeting by majority of two-thirds of those present and voting confer on any person the title of Patron provided that the number of Patrons at any time shall not exceed one (1) in number.
 - (b)** The existing life members of the former Association shall on the incorporation of the Association become life members of the Association and are entitled to have their names entered in the register of members.
 - (c)** The Association may in General Meeting by a resolution passed by a majority which comprises not less than three-quarters of number of full members present and voting at such meeting confer on any person subject to his or her consent being had and obtained the title of life member for meritorious service rendered to the Association or to the former Association and upon such appointment his or her name shall be entered in the register of members.
 - (d)** The number of life members shall not be limited.
 - (e)** No person shall be elected a life member unless he or she shall first be nominated and commended therefore by the Committee. Members may nominate a person for consideration by the Committee.
 - (f)** A Life Member is a full member of the Association and life members shall receive a life membership badge or some other form of significant acknowledgment of their life membership.
 - (g)** The provisions of rules 4, 5, 6, 10 and 11 shall apply to Life Members. A Life Member of the class shall not be required to pay the amount payable under rule 8 (2).

PART III - THE COMMITTEE

Powers; etc, of the Committee:

- 13** The Committee shall be called the Committee of Management of the Association and, subject to the Act, the Regulation and these rules and to any resolution passed by the Association in General Meeting -
- (a)** shall control and manage the affairs of the Association;
 - (b)** may exercise all such functions as may be exercised by the Association other than those functions that are required by these rules to be exercised by a General Meeting of members of the Association;
 - (c)** may take such administrative regulations not inconsistent with these rules as in the opinion of the Committee are necessary or desirable for the proper control, administration and management of the Association's finances, affairs, interests, property and activities including, without limiting the generality thereof the specifications of the powers, duties and responsibilities of elected positions, selection policies, practice, gear and facilities as may amend and rescind from time to time any such administrative regulation; and
 - (d)** may make games' rules and regulations and may amend and rescind from time to time any such games' rules and regulations, but any such change shall not take effect until seven (7) days after notification of such changes to the affiliated organizations.
 - (e)** the Committee shall refer all matters requiring determination arising out of the games' rules and regulations to a Disputes Sub-Committee established under Rule 21.

Constitution and Membership:

- 14** **(1)** Subject in the case of the first members of the Committee to section 21 of the Act, the Committee shall consist of -
- (a)** the four (4) office bearers of the Association and
 - (b)** five (5) ordinary members.

Each of whom shall be elected at the Annual General Meeting of the Association pursuant to rule 15.

- (2) The office bearers of the Association shall be;
 - (a) The President;
 - (b) The Vice-President;
 - (c) The Treasurer; and
 - (d) The Secretary.
- (3) Each member of the Committee shall, subject to these rules, hold office until the conclusion of the Annual General Meeting following the date of the member's election but is eligible for re-election.
- (4) In the event of a casual vacancy occurring in the membership of the Committee or of an elected position, the Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office or the elected position, subject to these rules, until the conclusion of the Annual General Meeting next following the date of the appointment.
- (5) Only full members are eligible to hold office as office bearer or to be an ordinary member of the Committee.
- (6) There shall be an Executive Committee which shall consist of the **President, Secretary, Treasurer** and **Vice-President** and the Executive Committee shall have the power to make urgent decisions for the Association and shall report to the next meeting of the Committee.

Election of Members of the Committee:

- 15 (1) Nominations of candidates for election as office bearers of the Association or as ordinary members of the Committee -
 - (a) shall be made in writing, signed by two (2) members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination); and

- (b) shall be delivered to the Secretary of the Association not less than seven (7) days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the Committee shall be deemed to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- (6) The ballot for the election of office bearers and ordinary members of the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct. The ballot for the election of the various offices shall be conducted in the order in which the office bearers are listed in Rule 14(2), followed by the election of the ordinary members of the Committee.

Secretary:

- 16 (1) The Secretary of the Association shall, as soon as practicable after being appointed as Secretary, lodge notice with the Association of his or her address.
- (2) It is the duty of the Secretary to keep minutes of -

 - (a) all appointments of office bearers and members of the Committee;
 - (b) the names of members of the Committee present at a Committee Meeting or a General Meeting; and
 - (c) all proceedings at Committee Meetings and General Meetings.

- (3) Minutes of proceedings at a meeting shall be signed by the Chairperson of the meeting or by the Chairperson of the next succeeding meeting.

Treasurer:

- 17 It is the duty of the Treasurer of the Association to ensure that -
 - (a) all money due to the Association is collected and received and that all payments authorized by the Association are made;
 - (b) correct books and accounts are kept showing the financial affairs of the Association including full detail of all receipts and expenditure connected with the activities of the Association.

Casual Vacancies:

- 18 For the purpose of these rules, a casual vacancy in the office of a member of the Committee or in an elected position occurs if the member or person -
 - (a) dies;
 - (b) ceases to be a member of the Association;
 - (c) becomes an insolvent under administration within the meaning of the Corporation Law;
 - (d) resigns office or the elected position by notice in writing given to the Secretary;
 - (e) is removed from office under rule 19 or is removed from the elected position by the Committee;
 - (f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
 - (g) is absent without the consent of the Committee from all meetings of the Committee held during a period of 3 months or in the case of the holder of an elected position fails to perform the duties of the position to the reasonable satisfaction of the Committee.

Removal of a Member of the Committee:

- 19 (1) The Association in General Meeting may by resolution remove any member of the Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) Where a member of the Committee to whom a proposed resolution referred to in clause 1 relates makes representations in writing to the Secretary or the President (not exceeding a reasonable

length) and requests that the representations be notified to the members of the Association, the Secretary or the President may send a copy of the representations to each member of the Association or, if they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

Meetings and Quorum:

- 20 (1) The Committee shall meet at such times in each period of twelve months and at such place and time as the Committee may determine.
- (2) Additional meetings of the Committee may be convened by the President or the Secretary or three members of the Committee.
- (3) Oral or written notice of a meeting of the Committee shall be given by the Secretary to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.
- (4) Five (5) members of the Committee shall constitute a quorum for the transaction of the business of a meeting of the Committee
- (5) No business shall be transacted by the Committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting stands adjourned to a time and place at the discretion of the Secretary.
- (6) If at the adjourned meeting, a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be continued with the members present.
- (7) At a meeting of the Committee -
- (a) the President or, in the President's absence, the Vice President shall preside; or
 - (b) if the President and the Vice President are absent or unwilling to act, such one of the remaining members of the Committee as may be chosen by the members present at the meeting shall preside.

Delegation by Committee to Sub-Committee:

- 21 (1) The Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such members of the Committee or other members of the Association as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument other than -
- (a) this power of delegation; and
 - (b) a function, which is a duty, imposed on the Committee by the Act or by any other law.
- (2) A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Notwithstanding any delegation under this rule, the Committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it has been done or suffered by the Committee.
- (6) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A quorum for meeting of a sub-committee one half of its members plus one.
- (8) A sub-committee may meet and adjourn as it thinks proper.

Voting Decisions:

- 22 (1) Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined by a majority of the votes of members of the Committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the Committee or of any sub-committee appointed by

the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question the person presiding may exercise a second or casting vote.

- (3) Subject to rule 20 (4), the Committee may act notwithstanding any vacancy on the Committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a sub-committee appointed by the Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-committee.

PART IV - GENERAL MEETINGS

Annual General Meetings - Holding of:

- 23**
- (1) With the exception of the first Annual General Meeting of the Association, the Association shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Association, convene an Annual General Meeting of its members.
 - (2) The Association shall hold its first Annual General Meeting -
 - (a) within the period of 18 months after its incorporation under the Act; and
 - (b) within the period of 2 months after the expiration of the first financial year of the Association.
 - (3) Clauses (1) and (2) have effect subject to any extensions or permission granted by the Commissions under section 26 (3) of the Act.

Annual General Meetings - Calling of and Business at:

- 24**
- (1) The Annual General Meeting of the Association shall, subject to the Act and to rule 23, be convened on such date and at such place and time as the Committee thinks fit.
 - (2) In addition to any other business, which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be;
 - (a) to confirm the minutes of the last preceding Annual General Meeting and of any Special General Meeting held since that meeting;
 - (b) to receive from the Committee reports upon the activities of the Association during the last preceding financial year;

- (c) to elect office bearers of the Association and ordinary members of the Committee;
 - (d) to elect:
 - (i) The Patron.
 - (ii) Life Members (if any).
 - (iii) delegates to such bodies or organizations to which the Association is entitled or obliged to appoint delegates.
 - (e) To receive and consider the statement, which is required to be submitted to members pursuant to section 26 (6) of the Act.
- (3) An Annual General Meeting shall be specified as such in the notice convening it.

Special General Meetings - Calling of:

- 25
- (1) The Committee may, whenever it thinks fit, convene a Special General Meeting of the Association.
 - (2) The Committee shall, on the requisition in writing of not less than 5 per cent of the total number of full members, convene a Special General Meeting of the Association.
 - (3) A requisition of members for a Special General Meeting -
 - (a) shall state the purpose or purposes of the meeting;
 - (b) shall be signed by the members making the requisition;
 - (c) shall be lodged with the Secretary; and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
 - (4) If the Committee fails to convene a Special General Meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a Special General Meeting to be held not later than 3 months after that date.
 - (5) A Special General Meeting convened by a member or members as referred to in clause (4) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expenses so incurred.

Notice:

- 26** (1) Except where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Association, the Secretary shall, at least 14 days before the date fixed for the holding of the General Meeting, cause to be served on each full member by either method described in rule 41 (1), a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) Where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Association, the Secretary shall, at least 21 days before the date fixed for the holding of the General Meeting, cause notice to be served on each full member in the manner provided in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a General Meeting shall be transacted at the meeting except, in the case of an Annual General Meeting, business which may be transacted pursuant to rule 24 (2).
- (4) A member desiring to bring any business before a General Meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling a General Meeting given after receipt of the notice from the member.

Procedure:

- 27** (1) No item of business shall be transacted at a General Meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) **3** Executive Committee and **5** ordinary full members present in person (being members entitled under these rules to vote at a General Meeting) constitutes a quorum for the transaction of the business of the General Meeting
- (3) If within half an hour after the appointed time for the commencement of a General Meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time

- and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the commencement of the meeting, the members present (being not less than one half of the number referred to in rule 27 (2)) shall constitute a quorum.

Presiding Member:

- 28 (1) The President or, in the President's absence, the Vice-President, shall preside as Chairperson at each General Meeting of the Association.
- (2) If the President and the Vice-President are absent from a General Meeting or unwilling to act, the members present shall elect one of their number to preside as Chairperson at the meeting.

Adjournment:

- 29 (1) The Chairperson of a General Meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) At a General Meeting of the Association, a poll may be demanded by the Chairperson or by not less than 3 members present in person at the meeting.
- (3) Where the poll is demanded at a General Meeting the poll shall be taken -
- (a) immediately in the case of a poll which relates to the election of the Chairperson of the meeting or to the question of an adjournment; or
- (b) in any other case, in such manner and at such time before the close of the meeting as the Chairperson directs, and the resolution to the meeting on that matter.

Special Resolution:

- 31** A resolution of the Association is a special resolution if -
- (a)** it is passed by a majority which comprises not less than three-quarters of such members of the Association as, being entitled under these rules so to do, vote in person at a General Meeting of which not less than 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or
 - (b)** where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) the resolution is passed in a manner specified by the Commission.

Voting:

- 32**
- (1)** Upon any question arising at a General Meeting of the Association a full member has one vote only.
 - (2)** All votes shall be given personally. A person shall not attend or vote at any meeting of the Association as the proxy of a member.
 - (3)** In the case of an equality of votes on a question at a General Meeting, the Chairperson of the meeting is entitled to exercise a second or casting vote.
 - (4)** A member is not entitled to vote at any General Meeting of the Association unless all money due and payable by the member to the Association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

Administrative Regulations:

- 33** The administrative regulations and the games' rules and regulations made by the Committee pursuant to rule 13 (c) shall have the same force and effect as these rules have by virtue of the Act **provided that** an administrative regulation or games' rule and regulations is of no effect if it is inconsistent with the Act or these rules or is contrary to law.

PART V - MISCELLANEOUS

Insurance:

- 34** (1) The Association shall affect and maintain insurance pursuant to section 44 of the Act.
- (2) In addition to the insurance required under clause (1) the Association may effect and maintain other insurance.

Funds - Source:

- 35** (1) The funds of the Association shall be derived from annual subscriptions of members, donations, match fees, refreshment sales and subject to any resolution passed by the Association in General Meeting, such other sources as the Committee determines.
- (2) All money received by the Association shall be deposited as soon as practicable in any account opened in the Association's name with a bank, building society or corporation, deposits in which have been prescribed as authorized securities pursuant to the Trustee Act, 1925.
- (3) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

Funds - Management:

- 36** (1) Subject to any resolution passed by the Association in General Meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the Committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two members of the Committee, being members authorized to do so by the Committee.

Alteration of Objects and Rules:

- 37** The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the Association.

Common Seal:

- 38** (1) The common seal of the Association shall be kept in the custody of the Public Officer.

- (2) The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the Committee or of 1 member of the Committee and of the Public Officer or Secretary.

Custody of Books etc:

- 39 Except as otherwise provided by these rules, the Public Officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Association.

Inspection of Books etc:

- 40 The records, books and other documents of the Association shall be open to inspection, free of charge, by any member of the Association at any reasonable hour.

Service of Notices:

- 41 (1) A notice may be served by or on behalf of the Association upon any member by delivering it or by sending it by post to the Club Contact of such member.
- (2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

Surplus Property:

- 42 (1) At the first General Meeting of the Association, the Association shall pass a special resolution nominating an Association as the Association in which is to vest its surplus property pursuant to section 53 (2) of the Act in the event of the winding up or the cancellation of the Incorporation of the Association.
- (2) The Association so nominated shall be one which fulfils the requirements specified in section 53 (2) (a) - (c) of the Act and is an organization which is exempt from Income Tax under section 23 of the Income Tax Assessment Act, 1936 (C'th).
- (3) The nominated Association will be the Newcastle Rescue Helicopter Appeal.

Savings:

- 43** The repeal of the constituent document of the former Association effected by its incorporation under the Act or by these Rules shall not, unless otherwise expressly provided herein, affect any right accrued, or obligation incurred, or suspension imposed, or any action, proceeding or thing pending or uncompleted under the constituent document of the former Association and every such action proceeding and thing may be carried on as if the constituent document had not been replaced by these Rules, and all persons appointed or elected under the constituent document of the former Association and holding office at the time of the incorporation of the Association shall be deemed to have been appointed or elected hereunder.

Resolution of Disputes Between Members - Association:

- 44** The resolution of disputes between members (in their capacity as members) and between members and the Association shall be heard and determined by an ad hoc Committee appointed by the Board of Management which shall specify in the instrument of delegation pursuant to rule 21 the form and procedure for the hearing.