



STEELS CREEK COMMUNITY CENTRE, INC.

699 Steels Creek Road, Steels Creek, VIC 3775

CONSTITUTION

NAME

1. The name of the incorporated association is the Steels Creek Community Centre, Incorporated (in these rules called "*The Association*"), Victoria, Reg. No. A0036356C.

STATEMENT OF PURPOSES

2. The purposes for which the proposed incorporated association is established are:
 - (1). To manage the Steels Creek Community Centre.
 - (2). To maintain the physical condition of the assets on site.
 - (3). To provide facilities for the use and benefit of local clubs.
 - (4). To encourage community activities.

INTERPRETATION

3. In these rules, unless the contrary intention appears:-
 - (1) "*Chairperson*" of a general meeting or committee meeting, means the person chairing the meeting as required under rules 14 and 27;
 - (2) "*Committee*" means the Committee of Management of the Association.
 - (3) "*Financial Year*" means the year ending the 30th of June when all subscriptions are due.
 - (4) "*General meeting*" means a general meeting of the members of the Association convened in accordance with rules 9, 10 and 11 and includes an annual general meeting and a special general meeting.
 - (5) "*Member*" means a member of the Association.
 - (6) "*Ordinary member of the Committee*" means a member of the committee who is not an officer of the Association under Rule 23.
 - (7) "*The Act*" means the *Associations Incorporation Reform Act 2012* and includes any regulations made under that Act;

NOT FOR PROFIT ORGANISATION

4. (1) The Association must not distribute any surplus, income or assets directly or indirectly to its' members.
- (2) Sub-rule (1) does not prevent the Association from paying a member—
 - (a) reimbursement for expenses properly incurred by the member; or
 - (b) for goods or services provided by the member - if this is done in good faith on terms no more favourable than if the member was not a member.

MEMBERSHIP

5. (1) Membership of the Association shall occur as a result of attendance at the Community Centre, completion of the attendance register, and the payment of any applicable fee, and who is in agreement with the Associations objectives and is prepared to abide by its Constitution. Each Ordinary Member shall pay an annual subscription', as determined by the Committee, which shall entitle them:
 - (a) To attend the Annual General Meeting and any other general meeting and vote on matters properly raised.
 - (b) To nominate any Member for office or to accept nomination for office of the Association
 - (c) To receive any publication which may be issued by the Association from time to time.
- (2) Membership shall include:
 - (a) Ordinary Members
 - (i) Individual Members
 - (ii) Life Members.
 - (b) Honorary Members (whose entitlements and rights shall be as defined for Individual Members)
 - (i) Honorary member - a person who shall be elected by a resolution passed by a three-fourths majority of those present at the meeting of the Committee as an Honorary Member of the Centre for a stipulated period of time.
 - (ii) Honorary Life Member - a person who in the opinion of the Committee has given outstanding service to the Association and is for this reason elected by resolution passed by three fourths majority of those present at a Committee meeting. (Notice of such motion having been given at the previous Committee meeting.)
- (3) A right, privilege, or obligation of a person by reason of his/her membership of the Association:
 - (a) is not capable of being transferred or transmitted to another person.
 - (b) terminates on the cessation of their membership whether by death, upon resignation or otherwise.

REGISTER OF MEMBERS

6. The secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member. The register shall be available for inspection by members at the address of the Secretary.

Note

Under section 59 of the Act, access to the personal information of a person recorded in the register of members may be restricted in certain circumstances. Section 58 of the Act provides that it is an offence to make improper use of information about a person obtained from the Register of Members.

GENERAL RIGHTS OF MEMBERS

7. (1) A member of the Association who is entitled to vote has the right—
 - (a) to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
 - (b) to submit items of business for consideration at a general meeting; and
 - (c) to attend and be heard at general meetings; and
 - (d) to vote at a general meeting; and
 - (e) to have access to the minutes of general meetings and other documents of the Association as provided under rule 40 and
 - (f) to inspect the register of members.
- (2) A member is entitled to vote if—
 - (a) more than 10 business days have passed since he or she became a member of the Association; and
 - (b) the member's membership rights are not suspended for any reason.

RESIGNATION OF MEMBERS

- 8 (1) The membership of a person ceases on resignation, expulsion or death.
- (2) If a person ceases to be a member of the Association, the Secretary must, as soon as practicable, enter the date the person ceased to be a member in the register of members.
- (3) Resigning as a member
 - (a) A member may resign by notice in writing given to the Association.
 - (b) A member is taken to have resigned if the member's annual subscription is more than 12 months in arrears from the end of the financial year.

ANNUAL GENERAL MEETING

9. (1) The Committee must convene an annual general meeting of the Association to be held within five months after the end of each financial year.
- (2) The Committee may determine the date, time and place of the annual general meeting.
- (3) The ordinary business of the annual general meeting is as follows—
 - (a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then;
 - (b) to receive and consider—
 - (i) the annual report of the Committee on the activities of the Association during the preceding financial year; and
 - (ii) the financial statements of the Association for the preceding financial year submitted by the Committee in accordance with Part 7 of the Act;
 - (c) to elect the members of the Committee;
 - (d) to vary the amounts (if any) of the annual subscription and joining fee.
- (4) The annual general meeting may also conduct any other business of which notice has been given in accordance with these Rules.

SPECIAL GENERAL MEETINGS

10. All general meetings, other than the annual general meeting, shall be called special general meetings.
11. (1) The Committee may, whenever it thinks fit, convene a special general meeting of the Association and, where, but for this sub-clause, more than 15 months would elapse between annual general meetings, shall convene a special general meeting before the expiry of that period.
- (2) The Committee shall, on the requisition in writing of members representing not less than 10% of the total number of members, convene a special general meeting of the Association.
- (3) The requisition for the special general meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the secretary and may consist of several documents in like form, each signed by one or more of the members making the requisition.
- (4) If the Committee does not cause a special general meeting to be held within one month after the date on which the requisition is sent to the address of the secretary, the members making the requisition, or any of them, may convene a special general meeting to be held not later than three months after that date.

- (5) A special general meeting convened by members in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which these meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring the expense.

NOTICE OF MEETING

12. (1) The Secretary of the Association shall, at least 14 days or, if the special resolution has been proposed, at least 21 days before the date fixed for holding a general meeting of the Association, cause to be publicised in the Community Newsletter and sent by post, hand delivery or by electronic means to each member of the Association at their address appearing in the register of members, a notice stating the place, date, and time of the meeting and the nature of the business to be transacted at the meeting.
- (2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- (3) A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that in the notice calling the next general meeting after the receipt of the notice.

PROCEEDINGS AT MEETINGS

13. (1) All business that is transacted at a special general meeting and all business that is transacted at the annual general meeting with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting shall be deemed to be special business.
- (2) 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 when the meeting is considering that item.
- (3) 10% of financial members, personally present (being members entitled under these rules to vote at a general meeting), constitute a quorum for the transaction of business at a general meeting.
- (4) If within half an hour of 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 next week at the same time (Unless another place is specified by the Chairperson at the time of the adjournment or by giving written notice to members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half an hour after the

set time appointed for, the commencement of the meeting, the members present being not less than three) shall be a quorum.

14. (1) The President, or in his /her absence, the Vice President, shall act as chairperson at each general meeting of the Association.
 - (2) If the President and Vice President are absent from a general meeting, the member present shall elect one of their number to act as chairperson at the meeting.

15. (1) The Chairperson at a meeting at which a quorum is present may, with the consent of the meeting, may 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) When a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.
 - (3) Except as provided in sub-clauses (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

16. A question arising at a general meeting of the Association shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of votes recorded in favour of, or against that resolution.

17. (1) Upon any question arising at a general meeting of the Association, a member has only one vote.
 - (2) A vote shall be given personally.
 - (3) In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a second or casting vote.

18. (1) If at a meeting a poll is demanded by not less than three members, it shall be taken at the meeting in such a manner as the chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
 - (2) A poll that is demanded on the election of a chairperson or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the chairperson may direct.

19. A member is not entitled to vote at any general meeting unless all monies due and payable by him/her to the Association have been paid, other than the

amount of the annual subscription payable in respect of the current financial year.

USE OF TECHNOLOGY

20. (1) A member not physically present at a general meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.
- (2) For the purposes of this Part, a member participating in a general meeting as permitted under sub-rule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

SPECIAL RESOLUTIONS

21. A special resolution is passed if not less than three quarters of the members voting at a general meeting vote in favour of the resolution.

Note

In addition to certain matters specified in the Act, a special resolution is required—

- (a) to remove a committee member from office ;
- (b) to alter these Rules, including changing the name or any of the purposes of the Association.

COMMITTEE OF MANAGEMENT

22. (1) The affairs of the Association shall be managed by a Committee constituted as provided in Rule 24.
- (2) The Committee: -
- (a) shall control and manage the business and affairs of the Association;
 - (b) may, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these rules to be exercised by general meetings of members of the Association; and
 - (c) subject to these rules, the regulations and the Act, have power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the Association.
 - (d) make procedural rules for the good management of the centre.
 - (e) establish subcommittees consisting of members with terms of reference it considers appropriate.
23. (1) The officers of the Association shall be:-
- (a) a President,
 - (b) a Vice President,

- (c) a Treasurer, and
 - (d) a Secretary.
- (2) Each officer of the Association shall hold office until the annual general meeting next after the date of his/her election and is eligible for re-election annually. President and Secretary may not hold office for longer than three consecutive years.
 - (3) In the event of a casual vacancy in any office referred to in sub-clause (1), the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next after the date of his/her appointment.
 - (4) If the position of Secretary becomes vacant, the Committee must appoint a member to the position within 14 days after the vacancy arises.
- 24.(1) The Committee shall consist of:-
- (a) the officers of the Association;
 - (b) up to five ordinary members, of which two shall be nominated representatives of Steels Creek clubs.
 - (c) the Committee of Management may at its discretion, invite the Immediate Past President to join the Committee of Management as a member with full voting rights. Each of the ordinary committee members shall be elected at the annual general meeting of the Association in each year.
- (2) Each ordinary member of the Committee shall, subject to these rules, hold office until the annual general meeting next after the date of his/her election but is eligible for reelection, but may not hold office for longer than five consecutive years.
 - (3) In the event of a casual vacancy occurring the office of an ordinary member of the Committee, the Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of his/her appointment.
 - (4) The Committee shall determine procedures for nominations to be received from Steels Creek clubs and for election of the two Committee members should more than two club nominations be received.
 - (5) Should insufficient nominations be received before or at the Annual General Meeting, the Committee may recruit and appoint the necessary ordinary members to fill the vacancy.

ELECTION OF OFFICERS AND COMMITTEE MEMBERS

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

- (b) shall be delivered to the secretary of the Association not less than seven days before the date fixed for the holding of the annual general meeting.
 - (2) If insufficient nominations are received to fill all the vacancies on the Committee, the candidates shall be deemed to be elected and further nominations shall be received at the annual general meeting.
 - (3) 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.
 - (4) If the number of nominations exceed the number of vacancies to be filled, a ballot shall be held.
 - (5) The ballot for the election of officers 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.
 - (6) A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for another office for election at the same election.
- 26.(1) For the purpose of these rules, the office of an officer of the Association or of an ordinary member of the Committee becomes vacant if the officer or the member: -
- (a) ceases to be member of the Association;
 - (b) becomes an insolvent under administration within the meaning of the Companies (Victorian) Code; or
 - (c) resigns his/her office by notice in writing given to the secretary;
 - (d) the office of any Committee member absent for three consecutive Committee meetings without reasonable explanation may at the discretion of the Committee be declared vacant.

PROCEEDINGS OF THE COMMITTEE

- 27.(1) The Committee shall meet at least four times in each year at such place and times as the Committee may determine.
- (2) Special meetings of the Committee may be convened by the President or by any four of the members of the Committee.
 - (3) Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
 - (4) Any five members of the Committee constitute a quorum for the transaction of the business of a meeting of the committee.
 - (5) No business shall be transacted unless a quorum is present and, if within an half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place and at the same hour of the same day of the following week unless the meeting was a special meeting in which case it lapses.

- (6) At meetings of the Committee:
 - (a) The President, or in his absence the Vice President shall preside; or
 - (b) if the President and the Vice President are both absent, such one of the remaining members of the Committee as may be chosen by the members shall preside.
- (7) Questions arising at a meeting of the Committee, or of any sub-committee appointed by the Committee, shall be determined by a show of hands or, if demanded by a member, by a poll taken in such a manner as the person presiding at the meeting may determine.
- (8) Each member present at a meeting of the Committee or any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (9) Notice of each Committee meeting shall be served on each member of the Committee verbally from the Secretary, or by delivering to him/her at a reasonable time before the meeting or by sending by pre-paid post addressed to him/her at his/her usual or last known place of abode or by electronic means at least two business days before the date of the meeting.
- (10) Subject to clause (4) the Committee may act notwithstanding any vacancy on the committee.

URGENT MEETINGS

- 28.(1) In cases of urgency, a meeting can be held without notice being given in accordance with rule 27.(9) provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- (2) Any resolution made at the meeting must be passed by an absolute majority of the Committee.
- (3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

MINUTES OF MEETING

- 29.(1) The Committee must ensure that minutes are taken and kept of each committee meeting
- (2) The minutes must record the following—
 - (a) the names of the members in attendance at the meeting;
 - (b) the business considered at the meeting;
 - (c) any resolution on which a vote is taken and the result of the vote;

SECRETARY

- 30.(1) The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.

Example

Under the Act, the secretary of an incorporated association is responsible for lodging documents of the association with the Registrar.

- (2) The Secretary must—
 - (a) maintain the register of members in accordance with rule 6; and
 - (b) keep custody of the common seal (if any) of the Association and, except for the financial records referred to in rule 34.(3), all books, documents and securities of the Association in accordance with rule 40; and
 - (c) subject to the Act and these Rules, provide members with access to the register of members, the minutes of general meetings and other books and documents; and
 - (d) perform any other duty or function imposed on the Secretary by these Rules.
- (3) The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.

TREASURER

- 31.(1) The Treasurer of the Association:-
 - (a) Shall open banking accounts at the discretion of the Committee in the name of the Steels Creek Community Centre;
 - (b) Shall collect and receive all monies due to the Association and make all payments authorised by the Association;
 - (c) Shall make all withdrawals from the Association account only on the signature of two of the three signatories appointed by the Committee;
 - (d) Shall keep correct accounts and books showing the financial affairs of the Association with full details of the receipts and expenditure connected with the activities of the Association.
 - (e) coordinate the preparation of the financial statements of the Association and their certification by the Committee prior to their submission to the annual general meeting of the Association.
- (2) The accounts and books referred to in sub-clause (1) shall be available for inspection by members.

REMOVAL OF MEMBERS OF THE COMMITTEE

- 32.(1) The Association in a general meeting may by resolution remove any member of the Committee before the expiration of his/her term of office and appoint another member in his/her stead to hold office until the expiration of the term of the first mentioned member.
- (2) When the member to whom a proposed resolution referred to in sub-clause (1) makes representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and requests that

they be notified to the members of the Association, the Secretary or the President may send a copy of the representations to each members of the Association or, if they are not so sent, may request that they be read out at the meeting.

MANAGEMENT OF FUNDS

33. (1) The Association must open an account with a financial institution from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.
- (2) Subject to any restrictions imposed by a general meeting of the Association, the Committee may approve expenditure on behalf of the Association.
- (3) The Committee may authorise the Treasurer to expend funds on behalf of the Association (including by electronic funds transfer) up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.
- (4) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 authorised committee members.
- (5) All funds of the Association must be deposited into the financial account of the Association no later than 10 working days after receipt.
- (6) With the approval of the Committee, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

FINANCIAL RECORDS

34. (1) The Association must keep financial records that -
 - (a) correctly record and explain its transactions, financial position and performance; and
 - (b) enable financial statements to be prepared as required by the Act.
- (2) The Association must retain the financial records for seven years after the transactions covered by the records are completed.
- (3) The Treasurer must keep in his or her custody, or under his or her control—
 - (a) the financial records for the current financial year; and
 - (b) any other financial records as authorised by the Committee.

FINANCIAL STATEMENTS

35. (1) For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the Association are met.
- (2) Without limiting sub-rule (1), those requirements include—
 - (a) the preparation of the financial statements;

- (b) if required, the review or auditing of the financial statements;
- (c) the certification of the financial statements by the Committee;
- (d) the submission of the financial statements to the annual general meeting of the Association;
- (e) the lodgment with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

COMMON SEAL

36. (1) The Association may have a common seal.
- (2) If the Association has a common seal -
- (a) the name of the Association must appear in legible characters on the common seal:
 - (b) a document may only be sealed with the common seal by the authority of the Committee and the sealing must be witnessed by the signatures of two Committee members
 - (c) the common seal must be kept in the custody of the Secretary.

ALTERATION OF RULES AND STATEMENT OF PURPOSES

37. These Rules may only be altered by special resolution of a general meeting of the Association.

Note

An alteration of these Rules does not take effect unless or until it is approved by the Registrar.

NOTICES

38. (1) A notice may be served by or on behalf of the Association on any member either personally, electronically or by sending it by post to the member at the address shown in the Register of Members.
- (2) Where a document is correctly addressed pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time that the letter would have been delivered in the ordinary course of the post.

WINDING UP OR CANCELLATION

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

- (4) The body to which the surplus assets are to be given must be decided by special resolution.

CUSTODY AND INSPECTION OF BOOKS AND RECORDS

- 40.(1) Members may on request inspect free of charge—
 - (a) the register of members;
 - (b) the minutes of general meetings;
 - (c) subject to sub-rule (2), the financial records, books, securities and any other relevant document of the Association, including minutes of Committee meetings.
- (2) The Committee may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.
- (3) The Committee must, on request, make copies of these rules available to members and applicants for membership free of charge.
- (4) Subject to sub-rule (2), a member may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.
- (5) For purposes of this rule - **relevant documents** means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following—
 - (a) its membership records;
 - (b) its financial statements;
 - (c) its financial records;
 - (d) records and documents relating to transactions, dealings, business or property of the Association.

FUNDS

41. The funds of the Association shall be derived from entrance fees, annual subscriptions, donations, and such other sources as the Committee determines.

GRIEVANCE PROCEDURE.

- 42.(1) The grievance procedure set out in this rule applies to disputes between
 - (a) a member and another member, or
 - (b) a member and the Association.
- (2). The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

- (3). If the parties are unable to resolve the dispute at the meeting or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (4) The mediator must be -
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement -
 - (i) in the case of a dispute between a member and another member, the committee of the association; or
 - (ii) in the case of a dispute between a member and the Association, a person who is a member of the Dispute Settlement Centre of Victoria (Department of Justice).
- (5) A member of the Association can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must-
 - (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.

Adopted at the Special General Meeting of
Steels Creek Community Centre, Inc.,
15 November 2013

Approved by the Registrar,
Consumer Affairs Victoria
23 January 2014

APPENDIX 1. Certain Model Rules deemed to Apply

By letter of 23 January 2014, reference 8506090, the Department of Justice advised that the special resolution passed by Steels Creek Community Centre Inc (SCCC Inc.) under the *Associations Incorporation Reform Act 2012* (the Act) on 15th November 2013 had been approved.

However, the letter noted that the following rules had not been included in the new Rules of Association for SCCC Inc. as required under the Act. Therefore, in accordance with Section 48(3) of the Act, model rules numbers 19, 20, 21, 22, 23, 24, 41 and 34 are deemed to be included in the Rules of Association for SCCC Inc, and the Association's Rules are therefore to be read in conjunction with these Model Rules.

The Model Rules are set out below.

[Start of Model Rules]

DISCIPLINARY ACTION

Model Rule 19 Grounds for taking disciplinary action

The Association may take disciplinary action against a member in accordance with this Division if it is determined that the member—

- (a) has failed to comply with these Rules; or
- (b) refuses to support the purposes of the Association; or
- (c) has engaged in conduct prejudicial to the Association.

Model Rule 20 Disciplinary subcommittee

(1) If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.

- (2) The members of the disciplinary subcommittee—
 - (a) may be Committee members, members of the Association or anyone else; but
 - (b) must not be biased against, or in favour of, the member concerned.

Model rule 21 Notice to member

(1) Before disciplinary action is taken against a member, the Secretary must give written notice to the member—

- (a) stating that the Association proposes to take disciplinary action against the member; and
- (b) stating the grounds for the proposed disciplinary action; and

- (c) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the ***disciplinary meeting***); and
- (d) advising the member that he or she may do one or both of the following—
 - (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
 - (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
- (e) setting out the member's appeal rights under rule 23.
- (2) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

Model Rule 22 Decision of subcommittee

- (1) At the disciplinary meeting, the disciplinary subcommittee must—
 - (a) give the member an opportunity to be heard; and
 - (b) consider any written statement submitted by the member.
- (2) After complying with subrule (1), the disciplinary subcommittee may—
 - (a) take no further action against the member; or
 - (b) subject to subrule (3)—
 - (i) reprimand the member; or
 - (ii) suspend the membership rights of the member for a specified period; or
 - (iii) expel the member from the Association.
- (3) The disciplinary subcommittee may not fine the member.
- (4) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

Model Rule 23 Appeal rights

- (1) A person whose membership rights have been suspended or who has been expelled from the Association under rule 22 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
- (2) The notice must be in writing and given—
 - (a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
 - (b) to the Secretary not later than 48 hours after the vote.
- (3) If a person has given notice under subrule (2), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.
- (4) Notice of the disciplinary appeal meeting must be given to each member of the Association who is entitled to vote as soon as practicable and must—

- (a) specify the date, time and place of the meeting; and
- (b) state—
 - (i) the name of the person against whom the disciplinary action has been taken; and
 - (ii) the grounds for taking that action; and
 - (iii) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

Model Rule 24 Conduct of disciplinary appeal meeting

- (1) At a disciplinary appeal meeting—
 - (a) no business other than the question of the appeal may be conducted; and
 - (b) the Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
 - (c) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- (2) After complying with subrule (1), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- (3) A member may not vote by proxy at the meeting.
- (4) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

GENERAL MEETINGS OF THE ASSOCIATION

Model Rule 41 Minutes of general meeting

- (1) The Committee must ensure that minutes are taken and kept of each general meeting.
- (2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- (3) In addition, the minutes of each annual general meeting must include—
 - (a) the names of the members attending the meeting; and
 - (b) proxy forms given to the Chairperson of the meeting under rule 34(6); and
 - (c) the financial statements submitted to the members in accordance with rule 30(4)(b)(ii); and
 - (d) the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and
 - (e) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

Model Rule 34 Proxies

(1) A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting other than at a disciplinary appeal meeting.

(2) The appointment of a proxy must be in writing and signed by the member making the appointment.

(3) The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.

(4) If the Committee has approved a form for the appointment of a proxy, the member may use any other form that clearly identifies the person appointed as the member's proxy and that has been signed by the member.

(5) Notice of a general meeting given to a member under rule 33 must—

(a) state that the member may appoint another member as a proxy for the meeting; and

(b) include a copy of any form that the Committee has approved for the appointment of a proxy.

(6) A form appointing a proxy must be given to the Chairperson of the meeting before or at the commencement of the meeting.

(7) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association no later than 24 hours before the commencement of the meeting.

[End]