

# Fraser Coast Malayalee Association Inc.

The organisation shall be named as *Fraser Coast Malayalee Association (FCMA)*

## 1) In these rules:

- *Act* means the *Associations Incorporation Act 1981*.
- A word or expression that is not defined in these rules, but is defined in the Act has, if the context permits, the meaning given by the Act.

## 2) Name:

The name of the incorporated association is **Fraser coast Malayalee Association Inc.(FCMA)** (*the association*).

## 3) The objectives are:

- To organise a strong platform and nourish Malayalees who descent from Kerala State in India, residing in Hervey Bay and nearby regions.
- To provide the members an opportunity to promote Malayalam language and culture and transfer Kerala's rich culture and heritage to the new generations.
- To act impartially without political or religious influence for the welfare of its members and provide help and support to the members in developing culture related sports and arts.
- To foster friendship with other community with common interests, exchange and share ideas and beliefs with them.
- To provide help to any member in distress and to raise money for charity if needed.

## 4) Powers

(1) The association has the powers of an individual.

(2) The association may,

- (a) enter into contracts; and
- (b) acquire, hold, deal with and dispose of property; and
- (c) make charges for services and facilities it supplies; and
- (d) do other things necessary or convenient to be done in carrying out its affairs.

## 5) Membership:

All members of the FCMA must be at least 18 years of age.

AND

Anyone belonging to the following categories

- Keralites
- People who speak Malayalam language
- Descendants of keralites
- Persons related to keralites and their descendants

The association consists of ordinary members and the number is unlimited.

## **6) Membership fees**

All members have to pay an initial joining fees, if any, a subscription fee or event fees from time to time, is payable when, and in the way, the management committee decides.

## **7) Admission and rejection of new members**

- (1) The management committee must consider an application for membership at the next committee meeting held after it receives the application for membership; and the appropriate membership fee for the application.
- (2) Applications letter for membership shall be handed to/emailed to the Secretary/president. The application request letter must contain present name, address of each applicant and it should be duly signed by the applicants. The applicants must be introduced by a proposer who must be a full good standing member of the FCMA.
- (3) The committee has the sole authority to accept or reject applications and decisions of the committee shall be final. The reasons for the decision shall not be conveyed to the applicant. The new member should be provided with the copy of the registered rules. A current joining fee and subscription fee if applies must be paid.
- (4) The management committee must decide at the meeting whether to accept or reject the application.
- (5) The secretary of the association must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a notice of the decision.

## **8) When membership ends**

- (1) Membership shall be ceased by expulsion, by resignation (by sending written notice to Secretary/President and accepted by the committee) and upon death.
- (2) The resignation takes effect at—
  - (a) the time the notice is received by the secretary; or
  - (b) if a later time is stated in the notice—the later time.
- (3) The management committee may terminate a member's membership if the member—
  - (a) has not paid subscription within 60 days after due date which shall become in arrears. Any member in arrear shall be liable to pay fine set by the management committee along with the annual subscription. Any member who fails to pay within 30 days of becoming arrear shall cease to be a member
  - (c) does not comply with any of the provisions of these rules; or
  - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association; or
  - (e) does not comply with any of the provisions of the member rules 9.
- (4) Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.

(5) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the committee must give the member a written notice of the decision.

## **9) Member Rules**

- (1) Member must not use Alcohol or prohibited drugs in FCMA office or function facility.
- (2) Gambling (other than that permitted by law), prohibited drugs, bad language or other misconduct (including in the whatsapp group of FCMA) shall not be permitted on the FCMA. Any officer or any member of the Committee shall have power to order the immediate withdrawal from the FCMA premises of any member offending under the provisions of this rule and the member may be dealt with by the Committee under rule 9(4).
- (3) Violence of any kind is unacceptable. Loud arguments, name calling, threats, harassment, physical contact and/or any other signs of BULLYING are NOT allowed.
- (4) Respect yourself & others. Degrading racial, ethnic, sexist, or homophobic remarks or SWEARING is not welcomed here.
- (5) No graffiti writing or defacing the FCMA official contents in anyway.
- (6) Smoking at the FCMA office or functional facility is only allowed outside centre's designated smoking area and NOT in front of the building.
- (7) Gossiping or talking disrespectfully about any member is not permitted.
- (8) Any member dispute or complain should be lodged in writing to FCMA Management committee.
- (9) In addition to their family, any member may introduce friends as guests, especially in events conducted by FCMA. Members shall be responsible for the good behaviour of guests introduced by them during the period of their stay and if a guest is removed from FCMA for misconduct or other cause, the member introducing such a guest may be subject to disciplinary procedures. The member must be present throughout the period their guests are in the FCMA. Guest/dignitaries approved by the Committee such as Persons attending the functions organised by the Committee or organised by a member and approved by the Committee may be admitted to the association.

## **10) Appeal against rejection or termination of membership**

- (1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the persons intention to appeal against the decision.
- (2) A notice of intention to appeal must be given to the secretary within 1 month after the person receives written notice of the decision.
- (3) If the secretary receives a notice of intention to appeal, the secretary must, within 1 month after receiving the notice, call a general meeting to decide the appeal.
- (4) If a member is removed from the FCMA premises for reasons specified in rule 8, such a member shall have no right of re-entry to the Club premises or benefits of membership until requested and attending to meet the Committee. If the next ordinary meeting of the Committee be within less than three days the member may claim to appear before them at that meeting and to have his case dealt with, waiving the length of notice required by the following rule.

## **11) General meeting to decide appeal**

- (1) The general meeting to decide an appeal must be held within 3 months after the secretary receives the notice of intention to appeal.
- (2) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (3) Also, the management committee and the members of the committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
- (4) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
- (5) If a person whose application for membership has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the membership fee paid by the person after deducting any expenses incurred by the FCMA if any.

## **12) Register of members**

- (1) The FCMA will keep a register at the office in which the secretary will enter the information of the members such as name, address and contact number/s, the names and addresses of the Officers and Committee with the offices held by them respectively and the dates on which they assumed office. Any member changing his address must notify the Secretary of such change within fourteen days thereafter.
- (2) The register must include the following particulars for each member—
  - (a) the full name of the member;
  - (b) the postal or residential address of the member;
  - (c) the date of admission as a member;
  - (d) the date of death or time of resignation of the member;
  - (e) details about the termination or reinstatement of membership;
  - (f) any other particulars the management committee or the members at a general meeting decide.
- (3) The register must be open for inspection by members of the association at all reasonable times.
- (4) A member must contact the secretary to arrange an inspection of the register.
- (5) However, the management committee may, on the application of a member of the association, withhold information about the member (other than the member's full name) from the register available for inspection if the management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

## **13) Prohibition on use of information on register of members**

- (1) A member of the association must not—
  - (a) use information obtained from the register of members of the association to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes; or

(b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes.

(2) Subrule (1) does not apply if the use or disclosure of the information is approved by the association.

#### **14) Membership of management committee**

(1) The management committee of the association consists of a president, vice-president, secretary, joint secretary, treasurer, and two executive members, elected by the association members at a general meeting.

(2) 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.

(3) The annual general body meeting should be convened in the second Saturday of June every year.

(4) A member of the association may be appointed to a casual vacancy on the management committee under rule 15.

#### **15) Electing the management committee**

(a) A member of the management committee may only be elected as follows—

- (1) 7 persons willing to hold the office or
- (2) Nominated by the association members
  - a. The nomination must be in writing
  - b. signed by the candidate and the members who nominated him or her; and
  - c. given to the secretary
- (3) An election shall be conducted if more than 7 members nominated
- (4) at least 14 days before the annual general meeting

(b) The secretary in-office will then help formation of management committee, assist in transition during handover by committee members, then hand over to oncoming secretary and resign from office.

(c) each member of the association present and eligible to vote at the annual general meeting may vote for 1 candidate for each vacant position on the management committee;

(d) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.

(2) A person may be a candidate only if the person—

(a) is an adult; and

(b) is not ineligible to be elected as a member under section 61A of the Act.

(4) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

(5) The management committee must ensure that, before a candidate is elected as a member of the management committee, the candidate is advised—

(a) whether or not the association has public liability insurance; and

(b) if the association has public liability insurance—the amount of the insurance.

#### **16) Resignation, removal or vacation of office of management committee member**

(1) A member of the management committee may resign from the committee by giving written notice of resignation to the secretary. The secretary may give written notice of resignation to the president.

(2) The resignation takes effect at—

(a) the time the notice is received by the secretary/president; or

(b) if a later time is stated in the notice—the later time.

(3) A member may be removed from office at a general meeting of the association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.

(4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.

(5) A member has no right of appeal against the members removal from office under this rule.

(6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

#### **17) Vacancies on management committee**

(1) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the association to fill the vacancy if required until the next annual general meeting.

(2) The vacancy of president can be fulfilled by vice president and secretary by joint secretary, any other vacancy can be filled as decided by the management committee with the existing members.

(3) The continuing members of the management committee may act despite a casual vacancy on the management committee.

(4) if the number of committee members is less than the number fixed under rule 24(1) as a quorum of the management committee, the continuing members may act only to—

(a) increase the number of management committee members to the number required for a quorum; or

(b) call a general meeting of the association.

#### **18) Functions of management committee**

(1) Subject to these rules or a resolution of the members of the association carried at a general meeting, the management committee has the general control and management of the administration of the affairs, property and funds of the association.

(2) The management committee has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

*Note—*

The Act prevails if the associations rules are inconsistent with the Act—see section 1B of the Act.

(3) The management committee may exercise the powers of the association—

- (a) to borrow, raise or secure the payment of amounts in a way the members of the association decide; and
- (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the associations property, both present and future; and
- (c) to purchase, redeem or pay off any securities issued; and
- (d) to borrow amounts from members and pay interest on the amounts borrowed; and
- (e) to mortgage or charge the whole or part of its property; and
- (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association; and
- (g) to provide and pay off any securities issued; and
- (h) to invest in a way the members of the association may from time to time decide.

(4) For subrule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by—

- (a) the financial institution for the association; or
- (b) if there is more than 1 financial institution for the association—the financial institution nominated by the management committee.

(5) The Committee, or any officers authorised by them, shall have the power to give orders for goods to be supplied and work to be done as may be necessary for carrying out the purposes of the Committee. However, nothing in this rule shall empower the Committee to incur expenditure except such as is consistent with the purposes for which the Committee is established. No member shall by his appointment have power to order goods or dispose of the funds of the Committee. Unless specifically authorised by a general meeting, a member of the Committee may not supply goods to the Committee for payment, enter into a contract for work to be done for the FCMA and hold any office of salary or profit paid by the Committee. Honoraria may be paid to officers or other members of the Committee if specifically, and individually authorised by the members at a general meeting.

## **19) Meetings of management committee**

- (1) Subject to this rule, the management committee may meet and conduct its proceedings as it considers appropriate.
- (2) The management committee must meet at least once every 4 months to exercise its functions.
- (3) The management committee must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the management committee.

(5) The management committee may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.

(6) A committee member who participates in the meeting as mentioned in subrule (5) is taken to be present at the meeting.

(7) A question arising at a committee meeting is to be decided by a majority vote of members of the committee present at the meeting and, if the votes are equal, the question is decided in the negative.

(8) A member of the management committee must not vote on a question about a contract or proposed contract with the association if the member has an interest in the contract or proposed contract and, if the member does vote, the members vote must not be counted.

(9) The president is to preside as chairperson at a management committee meeting.

(10) If there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.

## **20) Office bearers**

(1) The **president** usually chairs the management committee and will also play a major role in the FCMA meetings.

- The president is required to chair all meetings he/she attends.
- If the president cannot attend a meeting for any given reason, another member of the management committee can be nominated as chair.
- The president will plan organise and carry out responsibilities associated with the role as the association's chief executive officer.

(2) The **vice president** will fulfil responsibilities during absence of office of president and any task shared by the president.

(3) The **secretary** is primarily responsible for managing the records of the FCMA along with joint secretary which includes:

- take and keep minutes for the committee and association's meetings
- keep the register of members
- take nominations for the management committee
- provide appropriate notice to members for meetings
- call and convene special general meetings
- arrange the meeting venue and prepare the agenda
- coordinate any correspondence or reports to be presented at meetings
- circulate the minutes of meetings to members
- complete any actions arising from meetings that require correspondence
- receive all incorporated association correspondence and bring urgent matters to the attention of the president or treasurer if necessary.

(4) The **joint secretary** will fulfil responsibilities during absence of office of secretary and any task shared by the secretary.

(5) The **treasurer** is primarily responsible for the financial management of the FCMA. The treasurer will:



- keep and maintain an asset register for the FCMA
- manage the petty cash balance and ensure the petty cash book is kept up-to-date
- keep all documentation for payments made including receipts, invoices and statements
- keep and maintain the FCMA's deposit and cheque books
- ensure all payments are approved or ratified by the management committee and are recorded in the minutes
- keep all financial records in Queensland
- keep either a receipt book of consecutively numbered receipts, or computer system records of them.

(6) The **two executive members** can assist the other members and fulfil responsibilities handed down by president/secretary/treasurer.

## **21) Quorum for, and adjournment of, management committee meeting**

(1) At a management committee meeting, more than 50% of the members elected to the committee as at the close of the last general meeting of the members form a quorum.

(2) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called on the request of members of the committee, the meeting lapses.

(3) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called other than on the request of the members of the committee—

(a) the meeting is to be adjourned for at least 1 day; and

(b) the members of the management committee who are present are to decide the day, time and place of the adjourned meeting.

(4) If, at an adjourned meeting mentioned in subrule (3), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

## **22) Special meeting of management committee**

(1) If the secretary receives a written request signed by at least 33% of the members of the management committee, the secretary must call a special meeting of the committee by giving each member of the committee notice of the meeting within 14 days after the secretary receives the request.

(2) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.

(3) A request for a special meeting must state—

(a) why the special meeting is called; and

(b) the business to be conducted at the meeting.

(4) A notice of a special meeting must state—

(a) the day, time and place of the meeting; and

(b) the business to be conducted at the meeting.

(5) A special meeting of the management committee must be held within 14 days after notice of the meeting is given to the members of the management committee.

### **23) Minutes of management committee meetings**

- (1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes, the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy.

### **24) Appointment of subcommittees**

- (1) The management committee may appoint a subcommittee consisting of members of the association considered appropriate by the committee to help with the conduct of the associations operations.
- (2) A member of the subcommittee who is not a member of the management committee is not entitled to vote at a management committee meeting.
- (3) A subcommittee may elect a chairperson of its meetings.
- (4) If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.
- (5) A subcommittee may meet and adjourn as it considers appropriate.
- (6) A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

### **25) Acts not affected by defects or disqualifications**

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

### **26) Resolutions of management committee without meeting**

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

### **27) First annual general meeting**

The first annual general meeting must be held within 6 months after the end date of the association's first reportable financial year.

### **28) Subsequent annual general meetings**

Each subsequent annual general meeting must be held—

- (a) at least once each year; and

(b) within 6 months after the end date of the association's reportable financial year.

**29) Notice of general meeting**

(1) The secretary may call a general meeting of the association.

(2) The secretary must give at least 14 days notice of the meeting to each member of the association.

(3) If the secretary is unable or unwilling to call the meeting, the president must call the meeting.

(4) The management committee may decide the way in which the notice must be given.

(5) However, notice of the following meetings must be given in writing—

(a) a meeting called to hear and decide the appeal of a person against the management committee's decision—

(i) to reject the person's application for membership of the association; or

(ii) to terminate the person's membership of the association;

(b) a meeting called to hear and decide a proposed special resolution of the association.

(6) A notice of a general meeting must state the business to be conducted at the meeting.

**30) Quorum for, and adjournment of, general meeting**

(1) The quorum for a general meeting is at least the number of members elected or appointed to the management committee at the close of the association's last general meeting plus 1.

(2) However, if all members of the association are members of the management committee, the quorum is the total number of members less 1.

(3) No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.

(4) If there is no quorum within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the association, the meeting lapses.

(5) If there is no quorum within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the association—

(a) the meeting is to be adjourned for at least 7 days; and

(b) the management committee is to decide the day, time and place of the adjourned meeting.

(6) The chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.

(7) If a meeting is adjourned under subrule (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

(8) The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.

(9) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

### **31) Procedure at general meeting**

- (1) A member may take part and vote in a general meeting in person, by proxy, by attorney or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (2) A member who participates in a meeting as mentioned in subrule (1) is taken to be present at the meeting.
- (3) At each general meeting—
  - (a) the president is to preside as chairperson; and
  - (b) if there is no president or if the president is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the members present must elect 1 of their number to be chairperson of the meeting; and
  - (c) the chairperson must conduct the meeting in a proper and orderly way.

### **32) Voting at general meeting**

- (1) At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present.
- (2) Each member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.
- (3) A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.
- (4) The method of voting is to be decided by the management committee.
- (5) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.
- (6) If a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides.
- (7) The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held.

### **33) Special general meeting**

- (1) The secretary must call a special general meeting by giving each member of the association notice of the meeting within 14 days after—
  - (a) being directed to call the meeting by the management committee; or
  - (b) being given a written request signed by—
    - (i) at least 33% of the number of members of the management committee when the request is signed; or
    - (ii) at least the number of ordinary members of the association equal to double the number of members of the association on the management committee when the request is signed plus 1; or
  - (c) being given a written notice of an intention to appeal against the decision of the management committee—
    - (i) to reject an application for membership; or

- (ii) to terminate a person's membership.
- (2) A request mentioned in subrule (1)(b) must state—
  - (a) why the special general meeting is being called; and
  - (b) the business to be conducted at the meeting.
- (3) A special general meeting must be held within 3 months after the secretary—
  - (a) is directed to call the meeting by the management committee; or
  - (b) is given the written request mentioned in subrule (1)(b); or
  - (c) is given the written notice of an intention to appeal mentioned in subrule (1)(c).
- (4) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.

### **34) Minutes of general meetings**

- (1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes—
  - (a) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and
  - (b) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.
- (3) If asked by a member of the association, the secretary must, within 28 days after the request is made—
  - (a) make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place; and
  - (b) give the member copies of the minutes of the meeting.
- (4) The association may require the member to pay the reasonable costs of providing copies of the minutes.

### **35) By-laws**

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

### **36) Alteration of rules**

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

### **37) Common seal**

- (1) The management committee must ensure the association has a common seal.

- (2) The common seal must be—
  - (a) kept securely by the management committee; and
  - (b) used only under the authority of the management committee.
- (3) Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by—
  - (a) the secretary; or
  - (b) another member of the management committee; or
  - (c) someone authorised by the management committee.

### **38) Funds and accounts**

- (1) The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.
- (2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
- (3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- (4) A payment by the association of \$100 or more must be made by cheque or electronic funds transfer.
- (5) If a payment of \$100 or more is made by cheque, the cheque must be signed by any 2 of the following—
  - (a) the president;
  - (b) the secretary;
  - (c) the treasurer;
  - (d) joint secretary or any 1 of 2 executive members of the association who have been authorised by the management committee to sign cheques issued by the association.
- (6) However, 1 of the persons who signs the cheque must be the president, the secretary or the treasurer.
- (7) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.
- (8) A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
- (9) All expenditure must be approved or ratified at a management committee meeting.

### **39) General financial matters**

- (1) On behalf of the management committee, the treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.

(2) The income and property of the association must be used solely in promoting the association's objectives and exercising the association's powers.

#### **40) Documents**

The management committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

#### **41) Financial year**

The end date of the association's financial year is 30 June in each year.

#### **42) Distribution of surplus assets to another entity**

(1) This rule applies if the association—

- (a) is wound-up under part 10 of the Act; and
- (b) has surplus assets.

(2) The surplus assets must not be distributed among the members of the association.

(3) The surplus assets must be given to another entity—

- (a) having objectives similar to the association's objectives; and
- (b) the rules of which prohibit the distribution of the entity's income and assets to its members.

(4) In this rule— *surplus assets* see section 92(3) of the Act.

#### **43) Handling disputes**

A subcommittee of three members consisting of Vice president and two Executive members to be constituted to handle the internal disputes if any arises.

- The complaint/dispute should be made in writing by a member or a group of members.
- The complaint/dispute may be addressed by mediation as far as possible.

If a mediation process do not bring any positive outcome, the subcommittee may refer the matter to the executive committee with their findings and recommendations. The decision of the executive committee shall be final.