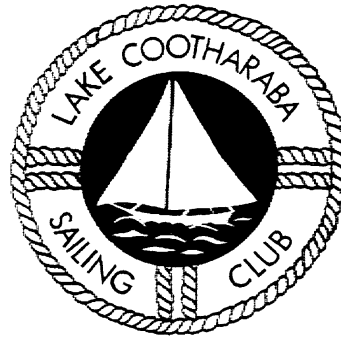


# *The Constitution*

Revised 2000



## *The Rules of Lake Cootharaba Sailing Club Incorporated*

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### **1. NAME**

The name of the incorporated club shall be Lake Cootharaba Sailing Club Inc., but for the purposes of these Rules shall be hereafter referred to as the Club.

### **2. OBJECTS**

The objects for which the Club is established shall be to promote and encourage the sailing of all classes of boats in those areas convenient to Lake Cootharaba.

### **3. INSIGNIA**

The insignia of the Club shall be a flag of triangular shape, Royal blue with the letters L.C.S.C. in white.

### **4. POWERS**

The powers of the club are:

- (1) To subscribe to become a member of and co-operate with any other association, club or organization, whether incorporated or not, whose objects are altogether or in part similar to those of the Club provided that the Club shall not subscribe to or support with its funds any club, association or organization which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Club under or by virtue of Rule 29 (10);
- (2) In furtherance of the objects of the Club to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid, and solid for the members of the Club or persons frequenting the Club's premises; providing that payment is precluded to an officer or employee of the club of an amount by way of commission or allowance calculated by reference to the quantity of liquor sold or supplied by the club for such liquor;
- (3) To purchase, take on, lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Club: Provided that in case the Club shall take or hold any property which may be subject to any trusts the Club shall only deal with the same in such manner as is allowed by law having regard to such trusts;
- (4) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club; to obtain from any such Government or Authority any rights, privileges and concessions which the Club may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
- (5) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Club;

## **POWERS cont.**

- (6) To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated Club, or in or about the incorporated Club or promotion of the incorporated club or in the furtherance of its objects;
- (7) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Club's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof;
- (8) To invest and deal with the money of the Club not immediately required in such manner as may from time to time be thought fit;
- (9) To take, or otherwise acquire and hold, shares, debentures or other securities of any company or body corporate;
- (10) In furtherance of the objects of the Club to lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate;
- (11) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and, whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated Club's property or assets present or future and to purchase, redeem or pay-off any such securities;
- (12) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
- (13) In furtherance of the objects of the Club to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Club;
- (14) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Club's property of whatsoever kind sold by the Club, or any money due to the Club from purchasers and others;
- (15) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Club but subject always to the proviso in sub-rule (4);

**POWERS cont.**

- (16) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Club, in the shape of donations, annual subscriptions or otherwise;
- (17) To print and publish any newspapers, periodicals, books or leaflets that the Club may think desirable for the promotion of its objects;
- (18) In furtherance of the objects of the Club to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Club and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Club under or by virtue of Rule 29 (10);
- (19) In furtherance of the objects of the Club to purchase or otherwise acquire and undertake all or any Part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Club is authorized to amalgamate;
- (20) In furtherance of the objects of the Club to transfer all or any part of the property, assets, liabilities and engagements of the Club to any one or more of the incorporated associations with which the Club is authorised to amalgamate,
- (21) To make donations for patriotic, charitable or community purposes;
- (22) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged.
- (23) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Club.

## **5. CLASSES OF MEMBERS**

- (1) The membership of the Club shall consist of any of the following classes of members:-
- (a) Senior Members;
  - (b) Life Members;
  - (c) Junior Members;
  - (d) Family Members;
  - (e) Social Members;
  - (f) Training Group Members;
  - (g) Honorary Members;

## **6. MEMBERSHIP**

- (1) Every applicant for any class of membership of the Club shall be proposed by one member of the Club and seconded by another member. The application for membership shall be made in writing, signed by the applicant and his proposer and seconder and shall be in such form as the Executive Committee from time to time prescribes.
- (2) Senior Membership:  
Members over the age of eighteen years (as of the AGM) shall be admitted to the Club as Senior members (except where Social membership is requested) and shall enjoy all of the privileges of membership.
- (3) Life Membership:  
(a) The Executive Committee shall at the first meeting in February of each year decide whether the name of any member shall be submitted to a General Meeting of the Club for nomination as a Life Member of the Club.  
(b) The name of any member so nominated shall be submitted to a General Meeting of the Club and such member may be elected a Life Member of the Club provided that three quarters of the members present and entitled to vote approve thereof. The voting at any such meeting shall be by secret ballot.  
(c) A Life Member shall be exempt from payment of membership fees only to the Club and shall be entitled to all the privileges and benefits of membership thereof.
- (4) Junior Membership:  
Members under the age of eighteen years (as of the AGM) shall be admitted to the Club as Junior members and shall enjoy all privileges of membership other than voting rights.
- (5) Family Membership:  
Family membership consists of an adult and their partner (with or without children), or an adult and children under 18 years (as of the AGM). Family members shall enjoy all privileges of membership. Except that children (as of the AGM) shall not have voting rights.
- (6) Social Membership:  
Social members may be admitted to the Club. They may engage in the Club's social activities. They shall not compete in sailing races nor have voting rights.

## **MEMBERSHIP Cont.**

### **(7) Training Group Membership:**

Training Group members from selected Institutions may be admitted to the Club. They shall enjoy all the privileges of the Club other than voting rights.

### **(8) Honorary Members:**

(a) Honorary Members may be elected at any Meetings of the Executive Committee of the Club for a period not exceeding thirty (30) days.

(b) Honorary Members have all the privileges of a member of the Club other than voting rights.

(c) Honorary members shall be exempt from payment of Membership fees.

## **7. MEMBERSHIP FEES**

(1)(a) The membership fees (including capitation fees) for each class of membership shall be determined at the last General Meeting prior to the Annual General Meeting.

(b) Concessions may be granted to pensioners and full time students.

(c) Pro-rata fees may apply after January 1st of each year, except for Training Group Membership.

(2) The membership fees for each class of membership shall be payable at such time and in such manner as the Executive Committee shall from time to time determine.

(3) Members shall be deemed to be financial for the year for which they have paid the annual fees and for thirty days after the end of the financial year (May 31st each year)

## **8. ADMISSION AND REJECTION OF MEMBERS**

(1) At the next meeting of the Executive Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Executive Committee, who shall thereupon determine upon the admission or rejection of the applicant.

(2) Any applicant who receives a majority of the votes of the members of the Executive Committee present at the meeting at which such application in being considered shall be accepted as a member to the class of membership applied for.

(3) Upon the acceptance or rejection of an application for any class of membership the secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

## **9. TERMINATION OF MEMBERSHIP**

- (1) A member may resign from the Club at any time by giving notice in writing to the secretary. Such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect on that later date.
- (2) If a member,
  - (i) is convicted of an indictable offence; or
  - (ii) fails to comply with any of the provisions of these Rules; or
  - (iii) has membership fees in arrears for a period of three months or more; or
  - (iv) conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Club, the Executive Committee shall consider whether his membership shall be terminated.
- (3) The member concerned shall be given a full and fair opportunity of presenting his case and if the Executive Committee resolves to terminate his membership it shall instruct the secretary to advise the member in writing accordingly.

## **10. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP.**

A person whose application for membership has been rejected or whose membership has been terminated may within one month of receiving written notification thereof, lodge with the secretary written notice of his intention to appeal against the decision of the Executive Committee.

## **11. REGISTER OF MEMBERS AND YACHTS**

- (1) The Executive Committee shall cause a Register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the Club and the dates of their admission and keep a Register of the name, owner and description of all sailing vessels registered with the Club.
- (2) Particulars shall also be entered into the Register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the Executive Committee or the members at any General Meeting may require from time to time.
- (3) The Register shall be open for inspection at all reasonable times by any member who previously applies to the secretary for such inspection.

## **12. MEMBERSHIP OF EXECUTIVE COMMITTEE**

- (1) The Executive Committee of the Club shall consist of a Commodore, Vice-Commodore, Rear-Commodore, Secretary, Treasurer and two (2) members elected at the Annual General Meeting, all of whom shall be members of the Club, and such number of other members as the members of the Club at any General Meeting may from time to time elect or appoint.
- (2) At the Annual General Meeting of the Club, all the members of the Executive Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.

## **MEMBERSHIP OF THE EXECUTIVE COMMITTEE cont.**

- (3) The election of officers and other members of the Executive Committee shall take place in the following manner:-
- (a) Any two members of the Club shall be at liberty to nominate any other member to serve as an officer or other member of the Executive Committee;
  - (b) These nominations may be taken from the floor of the meeting.
  - (c) Balloting papers shall be provided (if necessary) for each member with voting rights, present at the Annual General Meeting.
  - (e) Should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.

## **13. RESIGNATION FROM EXECUTIVE COMMITTEE**

Any member of the Executive Committee may resign from membership of the Executive Committee at any time by giving notice in writing to the secretary but such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect on that later date or such member may be removed from office at a General Meeting of the Club where that member shall be given the opportunity to fully present his case. The question of removal shall be determined by the vote of the members present at such a General Meeting.

## **14. VACANCIES ON THE EXECUTIVE COMMITTEE**

- (1) The Executive Committee shall have power at any time to appoint any member of the Club to fill any casual vacancy on the Executive Committee until the next Annual General Meeting.
- (2) The continuing members of the Executive Committee may act notwithstanding any casual vacancy in the Executive Committee, but if and so long as their number is reduced below the number fixed by or pursuant to these Rules as the necessary quorum of the Executive Committee, the continuing member or members may act for the purpose of increasing the number of members of the Executive Committee to that number or of summoning a General Meeting of the Club, but for no other purpose.

## **15. FUNCTIONS OF THE EXECUTIVE COMMITTEE**

- (1) Except as otherwise provided by these Rules and subject to resolutions of the members of the Club carried at any General Meeting the Executive Committee
  - (a) shall have the general control and management of the administration of the affairs, property and funds of the Club;
  - (b) shall have authority to interpret the meaning of these Rules and any matter relating to the Club on which these Rules are silent.

## **FUNCTIONS OF THE EXECUTIVE COMMITTEE cont.**

- (2) The Executive Committee may exercise all the powers of the Club
  - (a).to borrow or raise or secure the payment of money in such manner as the members of the Club may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Club in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Club's property, both present and future, and to purchase, redeem or pay off any such securities;
  - (b) to borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Brisbane for overdrawn accounts on money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Club, and to provide and pay off any such securities; and
  - (c) to invest in such manner as the members of the Club may from time to time determine.

## **16. MEETINGS OF EXECUTIVE COMMITTEE.**

- (1) The Executive Committee shall meet at least once every calendar month to exercise its functions.
- (2) A Special Meeting of the Executive Committee shall be convened by the Secretary on the requisition in writing signed by not less than one-third of the members of the Executive Committee, which requisition shall clearly state the reasons why such Special Meeting is being convened and the nature of the business to be transacted thereat.
- (3) At every meeting of the Executive Committee a simple majority of a number equal to the number of members elected and/or appointed to the Executive Committee as at the close of the last General Meeting of the members, shall constitute a quorum.
- (4) Subject as previously provided in this rule, the Executive Committee may meet together and regulate its proceedings as it thinks fit. Provided that questions arising at any meeting of the Executive Committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.
- (5) A member of the Executive Committee shall not vote in respect of any contract or proposed contract with the Club in which he is interested or any matter arising there out and if he does so vote his vote shall, not be counted.
- (6) Not less than fourteen days notice, shall be given by the secretary to members of the Executive Committee of any Special Meeting of the Executive Committee. Such notice shall clearly state the nature of the business to be discussed thereat.

## **MEETINGS OF EXECUTIVE COMMITTEE cont.**

- (7) The Commodore shall preside as Chairman at every meeting of the Executive Committee, or if there is no Commodore, or if at any meeting he is not present within ten minutes after the time appointed for holding the meeting, the Vice-Commodore shall be Chairman or if the Vice-Commodore is not present at the meeting then the members may choose one of their number to be Chairman of the meeting.
- (8) If within half an hour from the time appointed for the commencement of an Executive Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Executive Committee, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Executive Committee may determine and if at the adjourned meeting a quorum is not present within-half an hour from the time appointed for the meeting, the meeting shall lapse

## **17.SUB-COMMITTEES**

- (1) The Executive Committee may delegate any of its powers to a sub-committee consisting of such members of the Club as the Executive Committee thinks fit. Any sub-committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Executive Committee.
- (2) A sub-committee may elect a Chairman of its meetings. If no such Chairman is elected, or if at any meeting the Chairman is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their number to be Chairman of the meeting.
- (3) A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.

## **18. SUB-COMMITTEES**

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

## **19. EXECUTIVE COMMITTEE**

A resolution in writing signed by all the members of the Executive Committee for the time being entitled to receive notice of a meeting of the Executive Committee shall be as valid and effectual as if it had been passed at a meeting of the Executive Committee duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more members of the Executive Committee

## **20 GENERAL MEETINGS**

- (1) The first General Meeting shall be held at such time, not being less than one month or more than three months after the incorporation of the Club, and at such place as the Executive Committee may determine.
- (2) Not less than three (3) General Meetings shall be held in one year at such time and place as the Executive Committee may determine.

## **21 ANNUAL GENERAL MEETING**

- (1) The Annual General Meeting shall be held within three (3) months of the close of the financial year.
- (2) The business to be transacted at every Annual General Meeting shall be -
  - (a) the receiving of the Executive Committee's report and the statement of Income and Expenditure, Assets and Liabilities and mortgages, charges and securities affecting the property of the Club for the preceding financial year;
  - (b) the receiving of the Auditor's report upon the books and accounts for the preceding financial year;
  - (c) the election of members of the Executive Committee;
  - (d) the appointment of an auditor; and
  - (e) the election of a patron.

## **22 SPECIAL MEETINGS.**

The secretary shall convene a Special General Meeting

- (a) when directed to do so by the Executive Committee; or
- (b) on the requisition in writing signed by not less than one third of the members presently on the Executive Committee or not less than the number of ordinary members of the Club which equals double the number of members presently on the Executive Committee plus one. Such requisition shall clearly state the reasons why such Special General Meeting is being convened and the nature of the business to be transacted thereat; or
- (c) on being given a notice in writing of an intention to appeal against the decision of the Executive Committee to reject an application for membership or to terminate the membership of any person.

## **23 GENERAL MEETINGS**

- (1) At any General Meeting the number of members required to constitute a quorum shall be double the number of members presently on the Executive Committee plus one.
- (2) No business shall be transacted at any General Meeting unless a quorum of members is present at the time when the meeting proceeds to business. For the purposes of this rule "member" includes a person attending as a proxy or as representing a corporation which is a member.
- (3) If within half-an hour from the time appointed for the commencement of a General meeting a quorum is not present the meeting, if convened upon the requisition of members of the Executive Committee or the Club shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Executive Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.
- (4) The Chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn a meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

## **24 NOTICE OF MEETINGS**

- (1) The secretary shall convene all General Meetings of the Club by giving not less than fourteen (14 days notice of any such meeting to the members of the Club.
- (2) The manner by which such notice shall be given shall be determined by the Executive Committee: Provided that notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his membership by the Executive Committee, shall be given in writing. Notice of a General Meeting shall clearly state the nature of the business to be discussed thereat.

## **25 GENERAL MEETINGS**

Unless otherwise provided by these Rules, at every General Meeting -

- (1) the Commodore shall preside as Chairman, or if there is no Commodore or if he is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice-Commodore shall be the Chairman or if the Vice-Commodore is not present or is unwilling to act then the members present shall elect one of their number to be Chairman of the meeting;
- (2) the Chairman shall maintain order and conduct the meeting in a proper and orderly manner;
- (3) every question, matter or resolution shall be decided by a majority of votes of the members present;

**GENERAL MEETINGS cont.**

- (4) every member present shall be entitled to one vote and in the case of an equality of votes the Chairman shall have a second or casting vote: provided that no member shall be entitled to vote at any General Meeting if his annual subscription in more than one month in arrears at the date of the meeting;
- (5) voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot. The Chairman shall appoint two members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the Chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded;
- (6) a member may vote in person or by proxy or by attorney and on a show of hands every person present who is a member or a representative of a member shall have one vote and in a secret ballot every member present in person or by proxy or by attorney or other duly authorised representative shall have one vote;
- (7) the instrument appointing a proxy shall be in writing in the common or usual form, under the hand of the appointer or of his attorney duly authorized in writing or, if the appointer is a corporation, either under seal or under the hand of an officer or attorney duly authorised. A proxy may but need not be a member of the Club. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot
- (8) where it is desired to afford members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit; (see page 14 for form)

**GENERAL MEETINGS cont.**

**LAKE COOTHARABA SAILING CLUB INC.**

I,.....of.....

..

being a member of the Lake Cootharaba Sailing Club Inc., hereby appoint

.

.....of.....

..,

or ..... failing

him/her.....of.....

...

as my proxy to vote for me on my behalf at the (Annual) General Meeting of the Club, to be

held on the .....day..... 20....and at any adjournment thereof.

Signed this ..... day of ..... 20.... .

Signature.....

This form is to be used \* in favor of the resolution

\*against the resolution.

(\*Strike out whichever is not desired).

Unless otherwise instructed, the proxy may vote as he thinks fit.

(9) the instrument appointing a proxy shall be deposited with the secretary prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument purposes to vote; and

(10) the secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Executive Committee meeting and General Meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Executive Committee meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding Executive Committee meeting verifying their accuracy. Similarly, the minutes of every General Meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding General Meeting: provided that the minutes of any Annual General Meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding General Meeting or Annual General Meeting.

## **26. BY-LAWS**

The Executive Committee may from time to time make, amend or repeal By-laws, not inconsistent with these Rules, for the internal management of the Club and any By-law may be set aside by a General meeting of members.

## **27. ALTERATION OF RULES**

Subject to the provisions of the Associations Incorporation Act 1981, these Rules may be amended, rescinded or added to from time to time by a special resolution carried at any General Meetings Provided that no such amendments, rescission or addition shall be valid unless the same shall have been previously submitted to and approved by the Chief Executive of the Department administering the Act.

## **28. COMMON SEAL**

The Executive Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Executive Committee and every instrument to which the seal is affixed shall be signed by a member of the Executive Committee and shall be countersigned by the secretary or by a second member of the Executive Committee or by some other person appointed by the Executive Committee for the purpose.

## **29. FUNDS AND ACCOUNTS**

- (1) The funds of the Club shall be banked in the name of the Club in such bank as the Executive Committee may from time to time direct.
- (2) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Club and the particulars usually shown in books of a like nature.
- (3) All moneys shall be banked as soon as practicable after receipt thereof.
- (4) All amounts of twenty dollars or over shall be paid by cheque signed by any two of the Commodore, Secretary, Treasurer or other member authorised from time to time by the Executive Committee.
- (5) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupments which may be open.
- (6) The Executive Committee shall determine the amount of petty cash, which shall be kept on the imprest system.
- (7) All expenditure shall be approved or ratified at an Executive Committee Meeting.
- (8) As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing particulars of -
  - (a) the income and expenditure for the financial year just ended; and
  - (b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Club at the close of that year.

## **FUNDS AND ACCOUNTS cont.**

- (9) All such statements shall be examined by the auditor who shall present his report upon such audit to the Secretary prior to the holding of the Annual General Meeting next following the financial year in respect of which such audit was made.
- (10) The income and property of the Club whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Club provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect of moneys advanced by him to the Club or otherwise owing by the Club to him or of remuneration to any, officers or servants of the Club or to any member of the Club or other person in return for any services actually rendered to the Club provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Club or reasonable and proper rent for premises demised or let to the Club.

## **30. DOCUMENTS**

The Executive Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Club.

## **31. FINANCIAL YEAR**

The financial year of the Club shall close on 31st May in each year.

## **32. DISTRIBUTION OF SURPLUS ASSETS**

If the Club shall be wound up in accordance with the provisions of the Associations Incorporation Act 1981, and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Club, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Club and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Club under or by virtue of Rule 29 (10). Such institution or institutions to be determined by the members of the Club.

## **33. RACING RULES**

The Club shall use the Racing Rules of the State, National & International governing bodies of sailing and any By-laws passed by the Club pertaining to sailing.