



Townsville Kart Club Inc.

Model Rules

**Shaw Road,
Bohle, Townsville,
Queensland.**

P.O. Box 247 Garbutt East, Q 4814

TOWNSVILLE KART CLUB INC.
Model Rules

1.	WORDS AND EXPRESSIONS TO HAVE MEANING IN ACT	3
2.	NAME.....	3
3.	OBJECTIVES	3
4.	POWERS	3
5.	MEMBERSHIP - CLASSES	4
6.	MEMBERSHIP – RIGHTS AND RULES	4
7.	MEMBERSHIP - APPLICATIONS	5
8.	MEMBERSHIP - FEES	6
9.	ADMISSION AND REJECTION OF MEMBERS	6
10.	COMPLAINTS & DISPUTES	7
11.	RESOLUTION OF INTERNAL DISPUTES	7
12.	DISPUTES COMMITTEE	8
13.	RESIGNATION OF MEMBERSHIP	9
14.	TERMINATION OF MEMBERSHIP	9
15.	WHEN MEMBERSHIP ENDS	10
16.	PROCESS OF APPEAL.....	11
17.	APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP	12
18.	REGISTER OF MEMBERS	12
19.	SECRETARY	13
20.	MEMBERSHIP OF MANAGEMENT COMMITTEE.....	13
21.	ELECTING THE MANAGEMENT COMMITTEE.....	14
22.	RESIGNATION OR REMOVAL FROM OFFICE OF MANAGEMENT COMMITTEE MEMBER	14
23.	VACANCIES ON MANAGEMENT COMMITTEE	15
24.	FUNCTIONS OF MANAGEMENT COMMITTEE	15
25.	MEETINGS OF MANAGEMENT COMMITTEE.....	17
26.	DELEGATION OF MANAGEMENT COMMITTEE POWERS	18
27.	ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS.....	19
28.	RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING	19
29.	FIRST GENERAL MEETING	19
30.	FIRST ANNUAL GENERAL MEETING	20
31.	SUSEQUENT ANNUAL GENERAL MEETINGS	20
32.	BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING... ..	20
33.	SPECIAL GENERAL MEETING.....	20
34.	NOTICE OF GENERAL MEETING	21
35.	QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING.....	22
36.	PROCEDURE AT GENERAL MEETING	23
37.	VOTING AT GENERAL MEETING	24
38.	TOWNSVILLE KART CLUB PROXY FORM	25
39.	BY-LAWS	26
40.	ALTERATION OF RULES	26
41.	COMMON SEAL	26
42.	FUNDS AND ACCOUNTS	27
43.	DOCUMENTS.....	28
44.	FINANCIAL YEAR	28
45.	DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY.....	28

MODEL RULES

1. WORDS AND EXPRESSIONS TO HAVE MEANING IN THE ACT

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

2. NAME

The name of the incorporated association is TOWNSVILLE KART CLUB Inc.

3. OBJECTIVES

The objects of the association are:

- (1) To promote and protect the sport of Kart Racing.
- (2) To promote and organise Kart meetings and other functions for members.
- (3) To do all such acts which, in the opinion of the members are for the general benefit of the club or of Karting.

4. POWERS

- (1) The association has the powers of an individual.
- (2) The association may, for example:
 - (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.

TOWNSVILLE KART CLUB INC.
Model Rules

- (3) The association may also issue secured and unsecured notes, debentures and debenture stock for the association.

5. MEMBERSHIP - CLASSES

The membership of the association will consist of:

- (1) Financial members
 - (a) Family members
 - (b) Senior member
 - (c) Junior members
 - (d) Associate members
- (2) Non Financial Members
 - (a) Life members
 - (b) Honorary Members

6. MEMBERSHIP - RIGHTS AND RULES

The rights and rules pertaining to each membership class are as follows:

- (1) Family Memberships
 - (a) May be granted for one adult person and one spouse or partner and their dependents under the age of 18 years.
 - (b) A family membership will be entitled to only one vote at any meeting.
- (2) Senior Memberships
 - (a) May be granted for one adult person from the age of 18 years.
 - (b) A senior membership will be entitled to only one vote at any meeting.
- (3) Junior Membership

TOWNSVILLE KART CLUB INC.
Model Rules

- (a) Members between the ages of 7 to 17 inclusive.
 - (b) Having no right, of any vote on any issue raised at any set meeting.
- (4) Associate Membership
- (a) Any Associate Member declared by the Executive & or agreed at a General Meeting of the members will be deemed an Associate Member.
 - (b) Having no right, of any vote on any issue raised at any set meeting.
- (5) Life Membership
- (a) Limited to not more than 10% of the number of financial members at the time of nomination.
 - (b) Having one full vote on any issue raised at any set meeting.
 - (c) Applicants will be nominated by not less than two financial members, and in writing not less than two months prior to the Annual General Meeting and receiving the vote of 75% majority of the members present in favour of bestowing Life Membership at the A.G.M.
 - (d) Applicants must meet the following minimum requirements before nomination:
 - (i) Considered worthy of such nomination;
 - (ii) To have rendered outstanding service and be highly active in the actions and works of the Association;
 - (iii) To have been an active member not less than ten years;
- (6) Honorary Membership
- (a) Any Honorary Member will be nominated by not less than three financial members and in writing not less than two months prior to the Annual General Meeting.
 - (b) Having no right, of any vote on any issue raised at any set meeting.

TOWNSVILLE KART CLUB INC.
Model Rules

7. MEMBERSHIP - APPLICATIONS

- (1) An applicant for financial membership of the association must be proposed by one (1) member of the association (the 'proposer') and seconded by another member (the 'seconded').
- (2) An application for membership must be:
 - (a) In writing; and
 - (b) Signed by the applicant and the applicant's proposer and seconded; and
 - (c) In the form decided by the management committee.

8. MEMBERSHIP - FEES

- (1) The membership fee for each class of membership:
 - (a) Is the amount decided by the members from time to time at a general meeting; and
 - (b) Is payable when, and in the way, the management committee decides.
 - (c) In the form decided by the management committee.
- (2) Life Membership & Honorary Membership are exempt for the annual subscription for membership.

9. ADMISSION AND REJECTION OF MEMBERS

- (1) The management committee must consider an application for membership at the next meeting of the committee held after it receives:
 - (a) The application; and
 - (b) The appropriate membership fee for the application.
- (2) The management committee must decide at the meeting whether to accept or reject the application.
- (3) If a majority of the management committee members present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member to the class of membership applied for.

TOWNSVILLE KART CLUB INC.
Model Rules

- (4) 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 written notice of the decision.

10. COMPLAINTS & DISPUTES

- (1) A complaint may be made to the Executive Committee by any person that is a member of the club, or the member of the General Public, against any Townsville Kart Club member who:
 - (a) Has persistently refused or neglected to comply with a provision or provisions of these rules, or
 - (b) Has persistently and willfully acted in a manner prejudicial to the interests of the Association,
- (2) All Complaints must be received in writing, regardless of the source of the complaint before a Disputes Committee may be formed.
- (3) All complaints received by the Executive Committee shall be referred to a Disputes Committee.
- (4) Any member, who constantly makes frivolous, false and/or misleading complaints against fellow members, may themselves be referred to the Disputes Committee by the Executive Committee.

11. RESOLUTION OF INTERNAL DISPUTES

- (1) Disputes between Members shall be referred to an internal Disputes Committee.
- (2) The Committee may require the interviewing of any and all parties involved in the dispute to gather relevant statements related to the dispute at hand.
- (3) Any Member being interviewed regarding any dispute may or may not request (at their discretion) a second member of their choice, not directly involved with the matter at hand, as witness to the interview.
- (4) The decision of the Disputes Committee is to be considered final, except for provisions made for the Process of Appeals.
- (5) Any dispute which cannot be resolved by the Disputes Committee or by the Appeals Process shall be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act 1983.

TOWNSVILLE KART CLUB INC.
Model Rules

12. DISPUTES COMMITTEE

- (1) The formation of The Disputes Committee shall occur at any time a situation arises with the need for such a Committee and shall be dissolved again once the issue raised for which it was formed has been dealt with.
- (2) The Disputes Committee shall comprise Three (3) Executive Committee Members, and Two (2) other senior members, not currently serving on the Executive Committee. The member has the right to challenge the Disputes Committee membership along the grounds of an unfair hearing where the member feels the possibility of "Conflict of Interest" in relationship to the hearing.
- (3) The duties of the Disputes Committee will be:
 - (a) To hear and decide on any matter arising.
 - (b) To arbitrate in any matter referred to it by the Executive Committee.
 - (c) To hear and decide any matter requiring interpretation of this
- (4) On receiving a written complaint, the Disputes Committee:
 - (a) Must cause notice of the complaint to be served on the member concerned, and
 - (b) Must give the member 14 days from the time of notice is served within which to make submissions to the committee in connection with the complaint, and
 - (c) Must take into consideration any submissions made by the member in connection with the complaint.
- (5) The Disputes Committee may, by resolution, expel or suspend the member from membership of the club, or other such action deemed appropriate to the complaint if, after considering the complaint and any such submissions made in connection with the complaint, it is satisfied the facts alleged in the complaint have been proved.
- (6) The Secretary must, within 7 days of the action taken, give written notice to the member concerned advising the decision of the Disputes Committee, outlining the reasons for the decision, and the member has a right of appeal.

TOWNSVILLE KART CLUB INC.
Model Rules

- (7) The date of which the Disputes Committee decision shall take effect:
 - (a) Immediately; or
 - (b) At a date specified by the Disputes Committee; and
 - (c) Shall not interfere with the Members Right of Appeal regardless of date set.

- (8) Where a member submits an appeal against the disciplinary action made against them within the time allotted, then the date of which the Disputes Committee decision shall take effect, shall automatically be deferred to the date of which the Appeal is to be set, at which time, should the Appeal Process:
 - (a) Prove to be successful, the decision shall be deemed to be overturned by the Members and the date of effect is to be dismissed.
 - (b) Prove to be NOT successful, then the date of effect for the Disputes Committees decision shall become effective immediate as of the date of the appeal, regardless of the previous date set by the committee.

- (9) Where a member does not appeal against the Disciplinary Action made against them by the Executive or Disputes Committee, the decision shall be considered as final and in effect as of the Date specified by the relevant Committee.

13. RESIGNATION OF MEMBERSHIP

A member may resign from the Association 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.

14. TERMINATION OF MEMBERSHIP

- (1) The Executive Committee shall consider whether a members membership shall be terminated if they:
 - (a) Fail to comply with any of the provisions of these Rules; or

TOWNSVILLE KART CLUB INC.
Model Rules

- (b) Conduct themselves in a manner considered being injurious or prejudicial to the character or interests of the club,
- (2) The member concerned shall be given a full and fair opportunity of presenting their case and if the Management or Disputes Committee resolves to terminate their membership it shall instruct the secretary to advise the member in writing accordingly.
- (3) Any member who resigns of their own accord or has membership terminated may re apply for new membership at any stage.

15. WHEN MEMBERSHIP ENDS

- (1) A member may resign from the association by giving a written notice of resignation to the secretary.
- (2) The resignation takes effect on:
 - (a) The day and at the time the notice is received by the secretary; or
 - (b) If a later day is stated in the notice - the later day.
- (3) The management committee may terminate a members membership if the member:
 - (a) Is convicted of an indictable offence; or
 - (b) Does not comply with any of the provisions of these rules; or
 - (c) Has membership fees in arrears for at least 2 months; or
 - (d) Conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association.
- (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.

TOWNSVILLE KART CLUB INC.
Model Rules

16. PROCESS OF APPEAL

- (1) 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 their intention to appeal against the decision of the Management Committee.
- (2) Any member who is subject to disciplinary action decided upon by the Executive or Disputes Committees may within one month of receiving written notification thereof, lodge with the secretary written notice of their intention to appeal against the decision of the Executive or Disputes Committee.
- (3) Upon receipt of notification to appeal against rejection or termination of membership, or decision of Disputes Committee, the secretary shall convene, within three months of the date of receipt of such notice, a general meeting to determine the appeal.
 - (a) At any such meeting the applicant shall be given the opportunity to fully present their case and the Management committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case.
 - (b) The appeal shall be deemed successful by obtaining the vote of 75% majority of the members present at such meeting being in favour of the appeal.
 - (c) The result of such vote shall be deemed final.
 - (d) The Secretary shall notify in writing within 7 days, advising the member of the outcome of such appeal.
- (4) Where a person, whose application is rejected, does not appeal against the decision of the Management Committee within the time prescribed by these Rules or so appeals but the appeal is unsuccessful, the secretary shall forthwith refund the amount of any fee paid.
- (5) Where a member does not appeal against the disciplinary action made against them by the Executive or Disputes Committee, the decision shall be considered as final and in effect as of the Date specified by the relevant Committee.

TOWNSVILLE KART CLUB INC.
Model Rules

17. 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 person's 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 3 months after the day of receipt, call a general meeting to decide the appeal.
- (4) 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.
- (5) Also, the management committee and the committee members who rejected the application or terminated the membership must be given an opportunity to show why the application should be rejected or the membership should be terminated.
- (6) An appeal must be decided by a vote of the members present at the meeting.
- (7) If a person whose application 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 application fee paid by the person.

18. REGISTER OF MEMBERS

- (1) The secretary must keep a register of members.
- (2) The register of members must include the following particulars for each member:
 - (a) The full name and residential address of the member;
 - (b) The date of admission as a member;
 - (c) The date of death or resignation of the member;
 - (d) Details about the termination or reinstatement of membership;

TOWNSVILLE KART CLUB INC.
Model Rules

- (e) Any other particulars the management committee or the members at a general meeting decide.
- (3) The register must be open for inspection at all reasonable times, the member must apply to the secretary to inspect the register.

19. SECRETARY

- (1) If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the association within 1 month after the vacancy happens.
- (2) The secretary must be an individual residing in Queensland, or in another State but not more than 65 km from the Queensland border, who is:
 - (a) A member of the association elected by the association as secretary; or
 - (b) Any of the following persons appointed by the management committee:
 - (i) A member of the association's management committee;
 - (ii) A member of the association;
 - (iii) Another person.
- (3) The management committee may appoint and remove the associations' secretary at any time.

20. MEMBERSHIP OF MANAGEMENT COMMITTEE

- (1) The management committee of the association consists of a president, vice-president, treasurer, and any other members the association members elect or appoint at a general meeting.
- (2) A member of the management committee, other than the secretary, must be a member of the association.
- (3) 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.

TOWNSVILLE KART CLUB INC.
Model Rules

21. ELECTING THE MANAGEMENT COMMITTEE

- (1) A member of the management committee may only be elected as follows:
 - (a) Any 2 members of the association may nominate another member (the 'candidate') to serve as a member of the management committee;
 - (b) The nomination must be
 - (i) In writing; and
 - (ii) Signed by the candidate and the members who nominated him or her; and
 - (iii) Given to the secretary at least 14 days before the annual general meeting at which the election is to be held;
 - (c) Each member present at the annual general meeting may vote for any number of candidates not more than the number of vacancies;
 - (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 list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the association for at least 7 days immediately preceding the annual general meeting.
- (3) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

22. RESIGNATION OR REMOVAL FROM OFFICE OF MANAGEMENT COMMITTEE MEMBER

- (1) A management committee member may resign from the committee by giving written notice of resignation to the secretary.
- (2) The resignation takes effect on:

TOWNSVILLE KART CLUB INC.
Model Rules

- (a) The day and at the time the notice is received by the secretary;
or
 - (b) If a later day is stated in the notice - the later day.
- (3) A member may be removed from office at a general meeting of the association if a majority of the members present 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 why he or she should not be removed from office.
- (5) A member has no right of appeal against the member's removal from office under this section.

23. 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 until the next annual general meeting.
- (2) The continuing members of the management committee may act despite a casual vacancy on the management committee.
- (3) However, if the number of committee members is less than the number fixed under these rules 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.

24. FUNCTIONS OF MANAGEMENT COMMITTEE

- (1) Subject to these rules or a resolution of the association members carried at a general meeting, the management committee;
- (a) Has the general control and management of the administration of the affairs, property and funds of the association; and
 - (b) Has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent.

TOWNSVILLE KART CLUB INC.
Model Rules

- (2) The management committee may exercise the powers of the association:
- (a) To borrow, raise or secure the payment of amounts in a way the association members decide as a result of a General Meeting; 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 association's property, both present and future; and
 - (c) To purchase, redeem or payoff any securities issued; in a way the association members decide as a result of a General Meeting; and
 - (d) To borrow amounts from members and pay interest on the amounts borrowed; in a way the association members decide as a result of a General Meeting; and
 - (e) To mortgage or charge the whole or part of its property in a way the association members decide as a result of a General Meeting; and
 - (f) To issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association; in a way the association members decide as a result of a General Meeting; and
 - (g) To provide and payoff any securities issued; in a way the association members decide as a result of a General Meeting; and
 - (h) To invest in a way the members of the association may from time to time decide as a result of a General Meeting.
- (3) For sub-section (2)(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 association.

TOWNSVILLE KART CLUB INC.
Model Rules

25. MEETINGS OF MANAGEMENT COMMITTEE

- (1) Subject to subsections (2) to (16), 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 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 committee.
- (5) If the secretary receives a written request signed by at least 33% of the management committee members, the secretary must call a special meeting of the committee.
- (6) A request for a special meeting must state:
 - (a) Why the special meeting is being called; and
 - (b) The business to be conducted at the meeting.
- (7) At a management committee meeting, more than 50% of the members elected or appointed to the committee as at the close of the last general meeting of the members form a quorum.
- (8) A question arising at a committee meeting is to be decided by a majority vote of committee members present at the meeting and, if the votes are equal, the question is decided in the negative.
- (9) A management committee member 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 member's vote must not be counted.
- (10) The secretary must give each management committee member at least 14 days notice of a special meeting of the committee.
- (11) 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.
- (12) The president or, if there is no president or if the president is not present within 10 minutes after the time fixed for a management

TOWNSVILLE KART CLUB INC.
Model Rules

committee meeting, the Vice-president is to preside as chairperson at the meeting.

- (13) If the president and the vice-president are absent from a management committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.
- (14) If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called on the request of committee members, the meeting lapses.
- (15) If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called other than on the request of committee members, the meeting is to be adjourned to:
 - (a) The same day, time and place in the next week; or
 - (b) A day, time and place decided by the committee.
- (16) If, at the adjourned meeting mentioned in subsection (15), a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.
- (17) The Management Committee must present the minutes of the Management Committee at the next General Meeting for ratification.

26. DELEGATION OF MANAGEMENT COMMITTEE POWERS

- (1) The management committee may delegate the whole or part of its powers to a subcommittee consisting of the association members considered appropriate by the committee.
- (2) A subcommittee may only exercise delegated powers in the way the management committee decides.
- (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.

TOWNSVILLE KART CLUB INC.
Model Rules

- (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.

27. 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) Subsection (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.

28. RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING

- (1) A written resolution signed by each member of the management committee for the time being entitled to receive notice of a committee meeting 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 subsection (1) may consist of several documents in like form, each signed by 1 or more members of the committee.

29. FIRST GENERAL MEETING

- (1) The first general meeting must be held not less than 1 month, and not more than 3 months, after the day the association is incorporated.
- (2) The management committee must decide where the meeting is to be held.
- (3) The business to be conducted at the first general meeting must include the appointment of an auditor.

TOWNSVILLE KART CLUB INC.
Model Rules

30. FIRST ANNUAL GENERAL MEETING

The first annual general meeting must be held within 18 months after the day the association is incorporated.

31. SUBSEQUENT ANNUAL GENERAL MEETINGS

- (1) Each subsequent annual general meeting must be held:
 - (a) At least once each year; and
 - (b) Within 3 months after the end of the association's previous financial year.

32. BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING

- (1) The following business must be conducted at each annual general meeting:
 - (a) Receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the association for the last financial year.
 - (b) Receiving the auditor's report on the financial affairs of the association for the last financial year;
 - (c) Presenting the audited statement to the meeting for adoption;
 - (d) Electing / appointing members of the management committee;
 - (e) Appointing an auditor.

33. SPECIAL GENERAL MEETING

- (1) The secretary may only call a special general meeting by giving each member 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:

TOWNSVILLE KART CLUB INC.
Model Rules

- (i) At least 33% of the members of the association presently on the management committee; or
- (ii) At least the number of ordinary members of the association equal to double the number of members of the association presently on the management committee 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 subsection (1) (b) must state:
 - (a) Why the special general meeting is being called; and
 - (b) The business to be conducted at the meeting.

34. 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 association member.
- (3) The management committee may decide the way in which the notice must be given.
- (4) However, notice of the following meetings must be given in writing:
 - (a) A meeting called to hear and decide the appeal of a member against the rejection or termination of the members membership by the management committee; or
 - (b) A meeting called to hear and decide a proposed special resolution of the association.
- (5) A notice of a general meeting must state the business to be conducted at the meeting.

TOWNSVILLE KART CLUB INC.
Model Rules

35. QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING

- (1) Subject to subsection (5), at a general meeting the number of members equal to double the number of members of the association presently on the management committee plus 1 form a quorum.
- (2) No business may be conducted at a general meeting unless a quorum of members is present when the meeting proceeds to business.
- (3) If a quorum is not present 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.
- (4) If a quorum is not present 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, the meeting is to be adjourned to:
 - (a) The same day, time and place in the next week; or
 - (b) A day, time and place decided by the management committee.
- (5) If at an adjourned meeting, a quorum under subsection (1) is not present within 30 minutes after the time fixed for the meeting, the member's present form a quorum.
- (6) The chairperson may, with the consent of any meeting at which a quorum is present, 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 subsection (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.
- (10) In this rule "member" includes a person attending as a proxy or representing a corporation that is a member.

TOWNSVILLE KART CLUB INC.
Model Rules

36. PROCEDURE AT GENERAL MEETING

- (1) Subject to these rules, at each general meeting:
 - (a) The president or, 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 vice-president is to preside as chairperson; and
 - (b) If the vice-president is absent or unwilling to act as chairperson, 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; and
 - (d) Each question, matter or resolution must be decided by a majority of votes of the members present; and
 - (e) Each member present and entitled 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; and
 - (f) 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; and
 - (g) Voting may be by a show of hands or a division of members, unless at least 20% of the members present demand a secret ballot; and
 - (h) If a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot the way the chairperson decides; and
 - (i) 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; and
 - (j) A member may vote in person or, by proxy or by attorney and:
 - (i) On a show of hands, each person present who is a member or a representative of a member has 1 vote; and

TOWNSVILLE KART CLUB INC.
Model Rules

- (ii) In a secret ballot, each member present in person or by proxy or by attorney or other properly authorised representative has 1 vote; and
- (k) An instrument appointing a proxy must be in writing; and:
 - (i) If the appointer is an individual - signed by the appointer or the appointer's attorney properly authorised in writing; or
 - (ii) If the appointer is a corporation - either under seal or signed by a properly authorised officer or attorney of the corporation; and
- (l) A proxy may be a member of the association or another person; and
- (m) The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot; and
- (n) If someone wants to give a member an opportunity to vote for or against a resolution, the instrument appointing a proxy must be as set out in rule 38 (1) or like form.

37. 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.

TOWNSVILLE KART CLUB INC.
Model Rules

- (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.

38. TOWNSVILLE KART CLUB PROXY FORM

- (1) If a member wants a proxy to vote for or against a resolution, the instrument appointing the proxy must be in the following form:

The Townsville Kart Club Inc.

I, _____ of, _____

Being a member of the association, appoint _____

of _____

As my proxy to vote for me on my behalf at the (annual) general meeting of the association, to be held on the _____ day of _____, 20____ and at any adjournment of the meeting.

Signed this _____ day of _____, 20____ .

Signature: _____

- (2) The instrument appointing a proxy must:
- (a) If the appointer is not an individual:
 - (i) Be signed by the appointer or the appointer's attorney properly authorised in writing; or
 - (b) If the appointer is a corporation:
 - (i) Be under seal; or
 - (ii) Be signed by a properly authorised officer or attorney of the corporation.
- (3) A proxy may be a member of the association or another person.
- (4) The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.

TOWNSVILLE KART CLUB INC.
Model Rules

- (5) Each instrument appointing a proxy must be given to the secretary before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote.
- (6) Unless otherwise instructed by the appointer, the proxy may vote as the proxy considers appropriate.
- (5) Any eligible member may only carry a maximum of 3 Proxy Votes at any meeting of the Townsville Kart Club Inc where the Proxy has not specified the outcome of the vote.

39. 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.

40. ALTERATION OF RULES

- (1) Subject to the *Associations Incorporation Act 1981*, 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.

41. 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:

TOWNSVILLE KART CLUB INC.
Model Rules

- (a) The secretary; or
- (b) Another member of the management committee; or someone appointed by the management committee.

42. 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) If an amount of \$100 or more must be paid by cheque, the cheque must be signed by any 2 of the following:
 - (a) The president;
 - (b) The secretary;
 - (c) The treasurer;
 - (d) Another member authorised by the management committee for the purpose.
- (5) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed 'not negotiable'.
- (6) A petty cash account must be kept on the imprested system, and the management committee must decide the amount of petty cash to be kept in the account.
- (7) All expenditure must be approved or ratified at a Management Committee Meeting and or a General Meeting.
- (8) The treasurer must, within 4 weeks after the end of each financial year, ensure a statement containing the following particulars is prepared:
 - (a) The income and expenditure for the financial year just ended;
 - (b) The association's assets and liabilities at the close of the year;

TOWNSVILLE KART CLUB INC.
Model Rules

- (c) The mortgages, charges and securities affecting the property of the association at the close of the year.
- (9) The auditor must examine the statement prepared under subsection (8) and present a report about it to the secretary before the next annual general meeting following the financial year for which the audit was made.
- (10) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

43. DOCUMENTS

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

44. FINANCIAL YEAR

The financial year of the association closes on the *30th Day of June*, in each year.

45. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

- (1) This section applies if the association:
 - (a) Is wound-Up under part 10 of the Act; and
 - (b) It has surplus assets.
- (2) The surplus assets must not be distributed among the association members.
- (3) The surplus assets must be given to another entity within The Australian Karting Association that:
 - (a) Has objects similar to the association's objects; and
 - (b) Have rules which prohibit the distribution of the entity's income and assets to its members.

TOWNSVILLE KART CLUB INC.
Model Rules

- (4) In this section - "surplus assets" has the meaning given by section 92 (3) of the Act.