

# RULES OF THE JAMES COOK UNIVERSITY MEDICAL STUDENTS' ASSOCIATION INCORPORATED

## 1. NAME

(1) The name of the incorporated association shall be the James Cook University Medical Students' Association Incorporated (in these Rules called "the Association")

(2) **Definitions:**

For the purposes of this constitution, "Chairman" refers to the President of the Association.

For the purposes of this constitution, "Management Committee" refers to the "Executive" or "Executive Committee" unless otherwise stated.

For the purposes of this constitution, "General Committee" refers to any other members listed in this document that are not members of the "Management Committee", including reference to "other members", unless otherwise stated.

For the purposes of this constitution, "General Meeting(s)" refers to fortnightly meetings of the Management Committee.

## 2. OBJECTS

The objects for which the Association is established are:

(1) To safeguard and advance the academic, social and cultural interests of students enrolled in the MBBS or MBBS (Honours) degree at James Cook University.

(2) To foster and enrich the educational and social environment of students enrolled in the MBBS or MBBS (Honours) degree at James Cook University.

(3) To promote and foster the interests of the students in the MBBS and ideals of the College of Medicine and Dentistry at James Cook University.

(4) To promote the general health of the community via participation in community projects and organisation of charity functions.

**(5) The assets and income of the organisation shall be applied solely to further its objects and no portion shall be distributed directly or indirectly to the members of the organisation except as genuine compensation for services rendered or expenses incurred on behalf of the organisation.**

### 3. POWERS OF THE ASSOCIATION

In furtherance of the objects of the Association, the powers of the Association are:

(1) To subscribe to, become a member of and co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association: Provided that the Association shall not subscribe to or support with its funds any club, association or organisation 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 Association under or by virtue of rule 28(10) of the Association Incorporation Act 1981;

(2) To buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Association's premises;

(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 Association: Provided that in case the Association shall take or hold any property which may be subject to any trusts, the

Association 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 Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association 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 managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.

(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 to other securities of the Association, or in or about the Association or promotion of the Association or in the furtherance of its objects;

(7) To construct, improve, maintain, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidise or otherwise assist and take part in management, carrying out, alteration or control thereof;

(8) To invest and deal with money of the Association not immediately required in such manner as may from time to time be thought to be fit;

(9) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;


- (10) 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 whether 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 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 Association's property or assets present future and to purchase, redeem or payoff 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) 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 Association;
- (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 Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others;
- (15) To take any gift or property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the proviso in subT rule 2(4);
- (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 Association, in the shape of donations, annual subscriptions or otherwise;
- (17) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects;
- (18) To amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association 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 Association under or by virtue of rule 28(10) of the Association Incorporation Act 1981;
- (19) 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 Association is authorised to amalgamate;
- (20) To transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorised to amalgamate;
- (22) To make donations for patriotic, charitable or community purposes;
- (23) To produce policies (ie. reimbursement, refund, disciplinary) pertinent to the governance of the Association. Said policies will be reviewed by the Policy Officer in conjunction with the Management Committee on an annual basis prior to the date set for the AGM, as outlined in rule 10(3).
- (24) To form subsidiary organisations which operate independently under the Association.

- (a) Applications to form a subsidiary organisation shall be submitted to the Management Committee within the first six months of the calendar year
- (b) Subsidiary organisations of the Association shall operate in adherence to by-laws approved by the Management Committee
- (c) Subsidiary organisations will operate independently of JCUMSA, unless otherwise stated.
- (d) The creation of a new subsidiary organisation requires unanimous approval of the Management Committee at a general meeting of the management committee.
- (e) Med Revue (while not strictly speaking a subsidiary organisation) operates as an independent entity of JCUMSA that has the right to self-regulate

(25) To do all such things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

## 4. CLASSES OF MEMBERSHIP AND VOTING RIGHTS

(1) The membership of the Association shall consist of the following classes:

- (a) Gold membership;
- (b) Ordinary membership;
- (c)  Lifetime membership;

(2) The number of members in each class shall be unlimited.

(3) Gold members and Ordinary members have voting rights at general meetings only. Gold members will be granted additional benefits as determined by the Management Committee from time to time. Honorary members do not have any voting rights.

## 5. MEMBERSHIP ELIGIBILITY

(1) Gold membership:

(a) Gold membership will be available to all students enrolled in the MBBS or MBBS (Honours) degree at James Cook University

(b) Gold members will be charged a membership fee

(i) The membership fee shall be a nominal sum as the Management Committee shall from time to time so determine.

(c) Gold members will be removed from the register of members if:

(i) the member is expelled from the society as outlined in section 7; or

(ii) the member ceases enrolment in the MBBS degree at James Cook University

(iii) the member notifies the Secretary of their resignation from the Association

(2) Ordinary membership:

(a) Ordinary membership will be available to all students enrolled in the MBBS or MBBS (Honours) degree at James Cook University

(b) Students will be added to the register of members when registering with the Secretary of the Association and their signature is received.

(c) Ordinary members will not be charged a membership fee

(d) Ordinary members will be removed from the register of members if:

(i) the member is expelled from the society as outlined in section 7; or

(ii) the member ceases enrolment in the MBBS degree at James Cook University

(iii) the member notifies the Secretary of their resignation from the Association

(3) Lifetime membership:

(a) Lifetime memberships may be offered by the Management Committee from time to time as they deem appropriate.

(b) **Lifetime memberships** shall have the time limit of their membership determined by the Management Committee when they are granted the membership.

(c) **Lifetime members** will be removed from the register of members if:

(i) the member is expelled from the society as outlined in section 7; or

(ii) the time specified by the Management Committee for membership elapses.

(iii) the member notifies the Secretary of their resignation from the Association

## 6. ADMISSION OF MEMBERS

(1) Upon meeting the prescribed criteria, the applicant, shall be accepted as a member to the appropriate membership class for the duration of their enrolment.

(2) The Management Committee may, at its discretion, invite to become and accept as an honorary member, any other person they may see fit.

## 7. TERMINATION OF MEMBERSHIP

(1) 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.

(2) If a member –

(a) is convicted of an indictable offence; or

(b) fails to comply with any of the provisions of Rules; or

(c) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the Association;

the Management Committee shall consider whether his or her membership shall be terminated.

(3) The member concerned shall be given a full and fair opportunity of presenting his or her case and if the Management Committee resolves to terminate his or her membership it shall instruct the Secretary to advise the member in writing accordingly.

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

(1) A person whose membership has been terminated may appeal against the decision of the Management Committee by giving written notification of intention to appeal within one month.

(2) Upon receipt of a notification of intention to appeal against termination of membership, the Secretary shall convene, within three months of the date of receipt by him or her of such notice, a general meeting to determine the appeal.

(3) At any such meeting the applicant shall be given the opportunity to fully present his or her case and the Management Committee or those members thereof who terminated the membership subsequently shall likewise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of the members present at such meeting.

## **9. REGISTER OF MEMBERS**

(1) The Management Committee shall cause a Register to be kept in which shall be entered the names, email addresses and signatures of all persons admitted to the Gold, Ordinary and **Lifetime** membership classes of the Association and the dates of their admission.

(2) Particulars shall also be entered into the register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the Management 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.

## **10. MEMBERSHIP OF MANAGEMENT AND GENERAL COMMITTEE**

(1) The Management Committee of the Association shall consist of a President, Secretary, Treasurer, Academic ViceTPresident, Events ViceTPresident, Liaison Officer, Sponsorship Officer, Media & Publications Officer

and Community and Well-Being Officer, all of whom shall be members of the Association, ~~and such number of other members as the members of the Association~~ at any general meeting may from time to time elect or appoint.

(2) The General Committee of the Association shall consist of an IT Officer, Digital Branding Officer(s), Junior AMSA Representative, Male Interfaculty Sports Representative, Female Interfaculty Sports Representative, Research Officer, International Students Representative, Indigenous Students Representative, RACGP Medical Representative, Med Revue Convenor(s), Teddy Bear Hospital Convenor, Community and Wellbeing Representative(s), Graduation Week Convenor, Vampire Cup Convenor, Year Academic Representative(s), Year Event Representative(s)

(2) All members of the management committee are full voting members of the Management Committee.

(3) The election of the officers of the Management and General Committees shall take place prior to October 15th after a general meeting of the Association to be held at such time and at such place as the Management Committee may determine.

(4) The current officers of the Management and General Committees shall retire from office on the last day of the calendar year. The members of the Association elected in accordance with subRule 10 (1), shall become officers of the Management and General Committee on the first day of the calendar year following their election.

(5) The election of the officers of the Management and General Committees shall take place in the following manner:

(a) Subject to paragraph 10(5)(h), election of members of the Management and General Committee and other officers of the Association shall be by ballot and subrules 18(8)(c), (d), and (e) do not apply to that ballot;

(b) Any two members of the Association shall be at liberty to nominate any other member to serve as an officer or other member of the Management Committee;

(c) The nomination, which shall be in writing by the member and his or her proposer and seconder, shall be lodged with the Secretary at least 2 days before the general meeting at which the election is to take place;

(d) A list of the candidates' names in order determined by lot, with the proposers' and seconders' names, shall be posted in a conspicuous place in the office or usual place of meeting of the Association and/or on a widely accessible electronic platform.

(e) An electronic voting platform shall be prepared (if necessary) containing the names of the candidates in order determined by lot. Members who vote are required to enter an identification number so that the election officer may check the validity of their membership, i.e student number. If a number is not included the vote is voided and deducted from the ballot. Any member shall be entitled to vote for any number of such candidates not exceeding the number of vacancies;

(f) An Electoral Officer (not being a nominee in the ballot) shall be appointed by the Management Committee prior to the General Meeting who shall supervise the conduct of any election. The electoral officer shall oversee the electoral process in accordance with the election rules which shall be made available prior to the Annual General Meeting to all members. The Management Committee may at any time as deemed appropriate amend, change or alter the election rules;



- (g) The election shall be by a majority of ballots and in the case of an equality of votes the Chairman shall have the second or casting vote;
- (h) Should, at the commencement of such a meeting, there be no candidates nominated for a position, nominations may be taken from the floor of the meeting for such position(s). The election of candidates nominated from the floor of the meeting shall be in accordance with 18(8) and not the preceding paragraphs in subrule 10(5);
- (k) The result of the ballot as declared by the ~~chairman~~ **election officer** shall be deemed to be an election of the officer elect or member elect of the Management Committee.
- (6) Any member of the Management Committee or other officer of the Association may resign from membership of the Management Committee 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.
- (7) Any member of the Management Committee or other officer of the Association may be removed from office at a general meeting of the Association where that member shall be given the opportunity to fully present his or her case and the Management Committee shall likewise have the opportunity of presenting its case. The question of removal shall be determined by the vote of the members present at such a general meeting.
- a) Dismissal from a General Committee position requires a majority vote by the Management Committee
  - b) Dismissal from a Management Committee position requires a unanimous vote by all other present Management Committee members present at that general meeting, with a minimum quorum of (7) other Management Committee members
- (8) The role description and responsibilities of each Management Committee and General position shall be available on the website and it is expected upon election that each incumbent position holder is aware and upholds their responsibilities and obligations as outlined by the aforementioned role description.
- (9) As per Rule (7), failure to exercise the required responsibilities and goals of each position as outlined by the role description and responsibilities may result in expulsion from the position at the discretion of the management committee, whereby the member in question may be given the opportunity to present their case as well as the management committee.
- (10)

## 11. VACANCIES ON MANAGEMENT COMMITTEE

- (1) The Management Committee has the power at any time to appoint any member of the Association to fill any casual vacancy on the Management Committee until the next general meeting at which the election of the members of the Management Committee takes place.
- (2) The continuing members of the Management Committee may act notwithstanding any casual vacancy in the Management 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 Management Committee, the continuing member or members may act for the purpose of increasing the number of members of the Management Committee to that number or of summoning a general meeting of the Association, but for no other purpose.

## **12. FUNCTIONS OF THE MANAGEMENT COMMITTEE**

(1) Except as otherwise provided by these Rules and subject to resolutions of the members of the Association carried at any general meeting the Management Committee shall have:

- (a) the general control and management of the administration of the affairs, property and funds of the Association; and
- (b) the authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent.

(2) The Management Committee may exercise all the powers of the Association:

- (a) to borrow or raise or secure the payment of money in such manner as the members of the Association 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 Association in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Association'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 the rate for the time being charged by bankers 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 Association, and to provide and pay off any such securities; and
- (c) to invest in such manner as the members of the Association may from time to time determine.

## **13. MEETINGS OF MANAGEMENT COMMITTEE**

(1) The Management Committee shall meet at least once every calendar month, excluding university scheduled holidays, to exercise its functions.

(2) A special meeting of the Management Committee shall be convened by the Secretary on the requisition in writing by not less than oneTthird of the members of the Management 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 Management Committee a simple majority of a number equal to the number of voting members elected and/or appointed to the Management Committee shall constitute a quorum.

(4) Subject as previously provided in this rule, the Management Committee may meet together and regulate its proceedings as it thinks fit; Provided that questions arising at any meeting of the Management Committee shall be deemed to 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 Management Committee shall not vote in respect of any contract or proposed contract with the Association in which he or she is interested, or any matter arising thereout, and if he or she does so vote his or her vote shall not be counted.

(6) Not less than 5 working days notice shall be given by the Secretary to members of the Management Committee of any special meeting of the Management Committee. Such notice shall clearly state the nature of the business to be discussed thereat.

(7) The President shall preside as Chairman at every meeting of the Management Committee, or if there is no President, or if at any meeting he or she is not present within ten minutes after the time appointed for holding the meeting, the Management Committee shall choose one of their number to be Chairman of the meeting. The Chairman of any meeting is not able to vote on any issues that arise during the course of the meeting.

(8) If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee, shall lapse. In any other case it shall stand adjourned to such other day and at such other time and

place as the Management 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.

#### **14. The General Committee of the Association**

## **14. THE SUBCOMMITTEES OF THE MANAGEMENT COMMITTEE**

(1) The Management Committee may delegate any of its powers to a sub committee consisting of such members of the Association as the Management Committee thinks fit. Any subcommittee so formed shall in the exercise of the powers so delegated conform to the rules of the Association and in addition any regulations that may be imposed on it by the Management Committee.

(a) Subcommittees will be required to pass all decision before the management committee for a vote before acting on them

- (b) Subcommittees must submit proposals to the management committee of any event they wish to run for approval before commencement of planning. The management committee reserves the right to decline any event proposal by a subcommittee.
- (c) Subcommittees must clear all expenditure with the management committee. Reimbursement can be withheld by the management committee if this has not occurred.
- (d) Subcommittees can, at the discretion of the management committee maintain a bank sub account under the JCUMSA main account, with two signatories, one of which being from the management committee.
- (e) Subcommittees must obtain approval of the management committee, via means of a proposal at least 6 weeks prior to an event if they wish to fundraise or seek sponsorship for themselves
- (f) All monies remaining in subcommittee accounts at the end of the calendar year will be reabsorbed into the main JCUMSA account and redistributed as per student numbers in the following calendar year
- (2) A subcommittee 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.
  - (a) The chairman of the subcommittee will not have voting rights at that meeting.
  - (b) A subcommittee may elect a treasurer if they believe one is required, however this position will not be recognized as an official position within JCUMSA, and will be used only for the day to day running of the subcommittee.
- (3) A subcommittee 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.
- (4) Subcommittees will be overseen and must regularly report to a specific Management Committee member, and must report to the Academic or Events Vice President, respectively
- (5) Subcommittees are welcome to attend general meetings, however, must give one weeks notice of such.

## **15. AUTHORITY OF THE MANAGEMENT COMMITTEE**

- (1) All acts done by any meeting of the Management Committee or of a subcommittee or by any person acting as a member of the Management Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Management Committee or person acting as aforesaid, or that the members of the Management 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 Management Committee.
- (2) A resolution in writing signed by all the members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be as valid and effectual as if it had been passed at a

meeting of the Management 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 Management Committee.

## 16. SUBSECTION 47 (1) OF THE ASSOCIATIONS INCORPORATION ACT 1981 EXCLUDED

(1) If a matter is not provided for under the rules of the Association but the matter is provided for under a provision of the model rules (the “**additional provision**”), the association’s own rules are not taken to include the additional provision. Subsection 47 (1) of the Associations Incorporation Act 1981 does not apply to the rules of the Association.

## 17. ANNUAL GENERAL OR GENERAL MEETINGS

(1) The first general meeting of the Management Committee shall be held at such time as decided by the Chairman, not being less than two weeks nor more than 1 month following the beginning of the new committee’s term, and at such place as the Management Committee may determine.

The first general meeting shall be held at such time, not being less than one month nor more than three months after the incorporation of the Association, and at such place as the Management Committee may determine.

(2) The Annual General Meeting of the Association shall be held at any time during the duration of the calendar year that is deemed appropriate by the Management committee

(3) The business to be transacted at every annual general meeting shall be:

(a) the receiving of the Management Committee’s report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Association for the proceeding financial year;

(b) the receiving of the auditor’s report upon the books and accounts for the proceeding financial year;

(c) the appointment of an auditor.

(4) The Secretary shall convene a special general meeting T

(a) when directed to do so by the Management Committee; or

(b) on the requisition in writing signed by not less than one third of the members presently on the Management Committee or not less than the number of ordinary members of the Association which equals double the number of voting members presently on the Management 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 Management Committee to reject an application for membership or to terminate the membership to any person.

## 18. RULES OF THE GENERAL MEETINGS

(1) At any general meeting the number of members required to constitute a quorum shall be double the number of voting members presently on the Management 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 that 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 Management Committee or the Association, 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 day and at such other time and place as the Management 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 the 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.

(5) 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.

(6) The Secretary shall convene all general meetings of the Association by giving not less than 10 working days notice of any such meeting to the members of the Association.

(7) The manner by which such notice shall be given shall be determined by the Management 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 or her membership by the Management Committee shall be given in writing. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

(8) Unless otherwise provided by these Rules, at every general meeting T

(a) The President shall preside as Chairman, or if there is no President, or if he or she is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, another member of the Management Committee shall be the Chairman. If no members of the Management Committee are present or unwilling to act then the members present shall elect one of their number to be Chairman of the meeting;

- (b) the Chairman shall maintain order and conduct the meeting in a proper and orderly manner;
- (c) every question and matter for resolution shall be decided by a majority of votes of the members present;
- (d) every member present and eligible to vote 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;
- (e) voting shall be by show of hands or a division of members, unless not less than oneTfifth 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 or she 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;
- (f) a member may vote in person or by proxy or by attorney or by a postal vote forwarded at least two (2) days prior to the annual general meeting of the Association or at any general meeting 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 by postal vote or other duly authorised representative shall have one vote;
- (g) the instrument appointing a proxy shall be in writing, in the common or usual form under the hand of the appointer or of his or her attorney duly authorised 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 Association. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot;
- (h) 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:T

#### ASSOCIATION:

I, \_\_\_\_\_ of

being a member of the above named Association, 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 Association, to be held on the day of \_\_\_\_\_, 20 , and at any adjournment thereof.

Signed this                      day of                      , 20 .

Signature.

This form is to be used\* in favour of the

\*against

resolution.

\* Strike out whichever is not desired. (Unless otherwise instructed, the proxy may vote as he or she thinks fit.);

(i)                      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 proposes to vote; and

k)                      the Secretary shall cause full and accurate minutes of all questions, matters resolutions and other proceedings of every Management 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 Management Committee meeting shall be signed by the Chairman of that meeting or the Chairman of the next meeting succeeding Management Committee meeting verifying their accuracy. Similarly, the minutes of every general meeting or 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.

## **19. BYELAWS**



(1) The Management Committee may from time to time make, amend or repeal byT laws, not inconsistent with these Rules, for the internal management of the Association and any byTlaw may be set aside by a general meeting of members.

## **20. ALTERATION OF RULES**

(1) Subject to the provisions of the Association Incorporation Act 1981, these rules may be amended, rescinded or added to from time to time by a special resolution carried at any general meeting: Provided that no such amendment, rescission shall be valid unless the same shall have been previously submitted to an approval by the DirectorTGeneral, Department of Consumer Affairs, Brisbane.

## **21. COMMON SEAL**

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

## **22. FUNDS AND ACCOUNTS**

(1) The funds of the Association shall be deposited in the name of the Association in such Bank or Permanent Building Society as the Management Committee may from time to time direct.

(a) Subaccounts can be established under the main JCUMSA account at the discretion of the management committee.

(b) All funds are to be managed by the management committee.

(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 Association and the particulars usually shown in books of a like nature.

(3) All moneys shall be deposited as soon as practicable after receipt thereof.

(4) All amounts shall be paid by direct deposit or cheque signed by the President and the Treasurer. Payments via direct deposit may be executed with online banking platforms including the use of bank deposits and the JCUMSA PayPal account. All payments must be authorised by the President and Treasurer on a two-to-sign basis.

(5) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupment's which may be open.

(6) The Management 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 a Management Committee meeting.

(a) The management committee reserve the right to not reimburse any member who did not receive approval for expenditure prior to claim.

(8) As soon as practicable after the end of each calendar year (31<sup>st</sup> December) the Immediate Past Treasurer shall cause to be prepared a statement containing particulars of T

(a) the income and expenditure for the calendar year just ended; and

(b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.

(9) All such statements shall be examined by the auditor who shall present his or her report upon such audit to the Secretary prior to the holding of the Annual General Meeting next following the calendar year (31<sup>st</sup> December) in respect of which such audit was made.

(10) The income and property of the Association 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 Association; 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 or her to the Association or otherwise owing by the Association to him or her or of remuneration to any officers or servants of the Association or to any member of the Association or other person in return for any services actually rendered or to be rendered to the Association 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 Association or reasonable and proper rent for premises demised or let to the Association.

## 23. DOCUMENTS

(1) The Management Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

## **24. FINANCIAL YEAR**

(1) The financial year of the Association shall close on the 31st day of December in each year.

## **25. DISTRIBUTION OF SURPLUS ASSETS**

(1) If the Association 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 Association, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Association, 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 Association under or by virtue of rule 28(10) of the Association Incorporation Act 1981, such institution or institutions to be determined by the members of the Association.

I hereby certify that this is a true and correct copy of the rules adopted by the members of the incorporated association.

SECRETARY

DATE