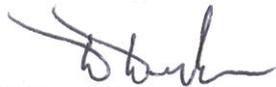


RETURNED & SERVICES LEAGUE OF AUSTRALIA (QUEENSLAND BRANCH)
BEENLEIGH & DISTRICT SUB BRANCH INC.
TRADING AS BEENLEIGH RSL, BEENLEIGH RSL & GOLF CLUB

CONSTITUTION

Amended at the General Meeting

29 November 2020



President – David Draper

Date: 29/11/2020



Secretary – Ian Robertson

Date: 29/11/2020

Rules
Of

RETURNED & SERVICES LEAGUE OF AUSTRALIA (QUEENSLAND BRANCH)
BEENLEIGH & DISTRICT SUB BRANCH INC.
TRADING AS BEENLEIGH RSL, BEENLEIGH RSL & GOLF CLUB

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RULES
Of
RETURNED & SERVICES LEAGUE OF AUSTRALIA (QUEENSLAND BRANCH)
BEENLEIGH & DISTRICT SUB BRANCH INC.
TRADING AS BEENLEIGH RSL, BEENLEIGH RSL & GOLF CLUB

1.0 Name

The name of the incorporated association is RETURNED & SERVICES LEAGUE OF AUSTRALIA (QUEENSLAND BRANCH) BEENLEIGH & DISTRICT SUB BRANCH INC. TRADING AS BEENLEIGH RSL, BEENLEIGH RSL & GOLF CLUB (hereafter referred to as the “Sub Branch”)

2.0 Definitions and Interpretation

2.1 In these rules:

- a) **“ACT”** means the *Associations Incorporation Act 1981*
- b) **“FORMER SUB BRANCH”** means the Returned and Services League of Australia (Queensland Branch) Beenleigh & District Sub Branch Incorporated, which entity was incorporated under incorporation IA32685 and the incorporation of which is cancelled pursuant to Division 2 of Part 9 of the Act upon incorporation of the Sub Branch.
- c) **“FORMER SERVICES CLUB”** means the Beenleigh RSL Services Club Inc. which entity was incorporated under incorporation number IA12739 and the incorporation of which is cancelled pursuant to Division 2 of Part 9 of the Act upon incorporation of the Sub Branch.
- d) **“GAMING ACT”** means the Gaming Machine Act 1991.
- e) **“LEAGUE”** means Returned & Services League of Australia Limited ACN 008 488 097.

- f) **“LEAGUE RULES”** means the constitution, by-laws and other policies and the like, which from time to time, form part of the mandatory rules of the League.
- g) **“LIQUOR ACT”** means the *Queensland Liquor Licensing Act 1992*.
- h) **“MANAGEMENT COMMITTEE”** means the management committee of the Sub Branch.
- i) **“RULES”** mean the Rules in this constitution.
- j) **“STATE BRANCH”** means Returned & Services League of Australia (Queensland Branch).
- k) **“STATE RULES”** means the constitution, by-laws and other policies and the like, which from time to time, form part of the mandatory rules of the State Branch.
- l) **“REGULATIONS”** means the Associations Incorporations Act 1981 which takes precedence over the “Uniform Rules” unless there is a provision in the Act to the contrary.
- m) **“UNIFORM RULES”** MEANS, SUBJECT TO Rule 2.4:
 - (i) the League Rules; and
 - (ii) the State Rules.
- n) **“SUB BRANCH PREMISES”** means the licensed premises, buildings, freehold property and leasehold property.

2.2 In the interpretation of these Rules:

- a) singular includes plural and vice versa.
- b) any gender includes any gender.

- c) references to statutes include statutes amending, consolidating or replacing the statutes referred to and all regulations, orders in council, rules, by-laws and ordinances made under those statutes.
- d) headings and the table of contents (if any) are used for convenience only and are to be disregarded in interpretation.
- e) where any word or phrase is given a defined meaning, any other grammatical form of that word or phrase has a corresponding meaning;
- f) references to “writing” includes all means of reproducing words in a tangible, permanently visible form in the English language;
- g) a reference to anything after the words “includes” or “including” does not limit what else might be included;

2.3 Discontinuance of Bodies or Associations

- a) This clause applies to any references in these Rules to any club, association, committee or other body whether statutory or otherwise (“a Body”) if:
 - (i) the Body ceases to exist;
 - (ii) the Body is reconstituted or replaced; or
 - (iii) its powers or functions are transferred to another organisation;
- b) A reference in these Rules to the Body is taken to include a reference to the organisation established or constituted in lieu of it or to which its powers or functions are transferred, or, in the absence of either of the above, to the organisation which most closely serves the same purpose as the Body.

2.4 Application of Uniform Rules

- a) Where any Rule in this constitution says that the Uniform Rules are adopted for dealing with a particular fact, circumstance or process then

the provisions of the Uniform Rules dealing with that fact, circumstance or process are taken to be included in and form part of these Rules.

- b) If there is any inconsistency between the League Rules and the State Rules which form the Uniform Rules, then the provisions of the League Rules and the State Rules dealing with resolving inconsistencies apply for the purpose of resolving that inconsistency.
- c) If there is any inconsistency between any provision of the Uniform Rules which is adopted, and any other provision of these Rules, then the Uniform Rules prevail, but only to the extent of the inconsistency.
- d) If there is any inconsistency between any provision of these Rules and any provision of the Uniform Rules which, according to the Uniform Rules has mandatory application to the fact, circumstances or process dealt with by these Rules, then the relevant provision of the Uniform Rules is taken to be included in and form part of these Rules, and that provision of the Uniform Rules prevails over the other part of these Rules, but only to the extent of the inconsistency
- e) Despite anything to the contrary:
 - (i) The Management Committee may from time to time resolve to suspend the application of any part or the whole of any one or more Uniform Rules (“Suspended Rules”) for such time and on such conditions as the Management Committee sees fit;
 - (ii) Suspended Rules are taken not to be included in, or form part of these Rules, for so long as they are the subject of suspension under Rule 2.4(e) (i).
 - (iii)
- f) Items appearing in these Rules in square brackets []:

(i) are intended to be references to the Uniform Rules adopted, or otherwise relevant; and

(ii) appear for convenience only and do not affect the application of that Rule.

2.5 Incorporation as independent entity

The incorporation of the Sub Branch under these Rules is not the incorporation of a branch of a parent association for the purpose of Division 1 of Part 9 of the Act.

3.0 Objects

The objects for which the Sub Branch is established are:

- a) To assist and care for the sick, elderly and needy by providing, or assisting to provide, pensions, benefits, accommodation, medical treatment, rehabilitation and other forms of welfare.
- b) To establish and accept trusts having for their object the welfare and benefit of any member of the Returned & Services League of Australia Ltd (hereinafter called the League), its Branches, or Sub Branches, or of any member, or ex-member, of the Australian Defence Force, or their dependants.
- c) In furtherance of any of the objects of the League, to make grants to and give assistance to such persons, trusts, groups, associations, societies, institutions or other organisations and authorities and to establish such scholarships as the League may, from time to time determine.
- d) To perpetuate the close and friendly ties by mutual service in the Australian Defence Force or in the forces of nations traditionally allied with Australia and the recollections associated with that experience, to

maintain a proper standard of dignity and honour among all past and present members of the Australian Defence Force, and to set an example of public spirit and noble hearted endeavour.

- e) To preserve the memory and records of those who suffered and died for the Nation, to erect monuments to their valour, to provide them with suitable burial places and establish and preserve in their honour, ANZAC Day, Remembrance Day and other commemorative occasions.
- f) To promote the defence of the Nation, and guard the good name and preserve the interests and standing of members of the Australian Defence Force.
- g) To encourage members of the League and citizens to serve the Nation with a spirit of self-sacrifice and loyalty.
- h) To maintain a national association, non-sectarian and in relation to party politics, non- partisan.
- i) To establish, maintain, furnish and equip clubs, clubrooms, information bureau, libraries, literary, social, sporting, educational and benevolent institutions for the benefit and advancement of members of the League, its Branches and Sub Branches, and to print, circulate and publish such papers, books, magazines and circulars, carry on such other literary and journalistic undertakings and publish material that may be conducive to the objects of the League.
- j) To subscribe or donate to, become a member of and co-operate with any other body of persons corporate or unincorporated whose objects are similar to those of the League and which prohibits the distribution of its or their income and property, amongst its or their members.
- k) To take over the assets and liabilities of the Former Sub Branch and the Former Services Club pursuant to Division 2 of Part 9 of the Act.

- l) To support and promote the development of sporting activities to aid the mental and physical health of the community through participation by providing facilities for the conduct of sporting activities and events.

4.0 Powers

4.1 The Sub Branch has and may still exercise all of the powers which may be exercised by an incorporated association under the Act, including all of the powers of an individual.

4.2 Without limiting Rules 4.1 the Sub Branch may:

- a) enter into contracts; and
- b) acquire, hold, deal with and dispose of property; and
- c) make charges for services and facilities it supplies; and
- d) to borrow or raise money in such manner as the Sub Branch may think fit, for any of its objects and in particular by mortgage, or other securities, upon all or any of the property of the Sub Branch, present or future; and
- e) operate as a registered club within the meaning of the Liquor Act or the Gaming Act or both; and
- f) do all such other lawful things as are necessary, convenient or conducive or incidental to the attainment of any of its objects or the carrying out of its affairs.

4.3 The Sub Branch is expressly empowered upon incorporation to take over the assets and liabilities of the Former Sub Branch and the

Former Services Club, which becomes the assets and liabilities of the Sub Branch pursuant to Division 2 of Part 9 of the Act.

5.0 Classes of Members

5.1 The membership of the Sub Branch consists of the following classes of members:

- a) RSL Service Members;
- b) RSL Associate Members;
- c) RSL Life Members;
- d) RSL Life Subscribers;
- e) Club Associate Members;
- f) Club Social Members; and
- g) Club Life Members;

5.2 The number of members in each class (other than Life Members) is unlimited.

6.0 Membership of Incorporation

6.1 Upon incorporation, persons who immediately prior to incorporation:

- a) were Ordinary Members of the Former Sub Branch become RSL Service Members;

- b) were Associate Members of the Former Sub Branch become RSL Associate Members;
 - c) were Life Members of the Former Sub Branch become RSL Life Members;
 - d) were Life Subscribers of the Former Sub Branch become RSL Life Subscribers;
 - e) were Associate Members of the Former Services Club and are not eligible to be an Club Associate Member of the League, become Club Social Members;
 - f) were Associate Members of the Former Services Club and are eligible to be a Club Associate Member of the League become Club Associate Members;
 - g) were Associate Members of the Former Services Club may apply to become Club Associate Members subject to Rule 11.3, 11.4 and 11.5;
- 6.2 Every person who on the day the Sub Branch is incorporated was a member of good standing of the Former Sub Branch or the Former Services Club will be admitted by the Management Committee to the class membership of the Sub Branch provided for in Rule 6.1 without that person being required to make any application for membership.
- 6.3 A person referred to in Rule 6.2 who had before incorporation paid the person's annual subscription for membership of the Former Sub Branch or the Former Services Club is not liable to pay a further amount of annual subscription for the period before the day fixed by the Management Committee as the day on which the next annual subscription is payable.

7.0 RSL Service Membership

7.1 Eligibility

- a) Only a person who is or who is entitled to immediately become a Service Member of the League may be admitted as an RSL Service Member of the Sub Branch.
- b) If an RSL Service Member of the Sub Branch ceases to be a Service Member of the League for any reason, that person's membership of the Sub Branch ceases immediately.

7.2 Application

- a) The Uniform Rules are adopted for dealing with applications by a person to be admitted as an RSL Service Member. The provisions of Rule 15 apply in addition to the Uniform Rules.
- b) The Uniform Rules are adopted for dealing with the setting of annual subscriptions for RSL Service Members.

7.3 Rejection of Application

The Uniform Rules are adopted for dealing with any rejection by the Management Committee of an Application for RSL Service Membership.

7.4 Transfer of Membership

The Uniform Rules are adopted for dealing with a transfer of membership by an RSL Service Member.

7.5 Discipline

- a) The Uniform Rules apply to the discipline of RSL Service Members.
- b) By Law No. 1 applies in addition to the Uniform Rules.

8.0 RSL Associate Membership

8.1 Eligibility

- a) Only a person who is a Service Member or Life Member of another Sub Branch may be admitted as an RSL Associate Member.
- b) If an Associate Member of the Sub Branch ceases to be a Service Member of another Sub Branch for any reason that person's membership of the Sub Branch ceases immediately.

8.2 Application

- a) The Uniform Rules are adopted for dealing with applications by a person to be admitted as an RSL Service Member. The provisions of Rule 15 apply in addition to the Uniform Rules.
- b) The Uniform Rules are adopted for dealing with the setting of annual subscriptions for RSL Service Members.

8.3 Discipline

- a) The Uniform Rules applying to the discipline of RSL Service Members are adopted for dealing with the discipline of RSL Associate Members.
- b) By Law No. 1 applies in addition to the Uniform Rules.

8.4 Special Membership Conditions

The Uniform Rule applies to the entitlement of an RSL Associate Member to hold office, vote and speak at meetings of the Sub Branch.

9.0 RSL Life Subscribers

- 9.1 The Uniform Rules are adopted for dealing with the amount which the Sub Branch may from time to time determine to be the amount payable by an RSL Service Member for that member to become a RSL Life Subscriber.
- 9.2 Only an RSL Service Member who has paid the amount referred to in this Rule is entitled to be admitted as a RSL Life Subscriber.
- 9.3 The Uniform Rules applying to the transfer of membership and discipline of an RSL Service Member are adopted for dealing with the transfer of membership and discipline of RSL Life Subscribers. By Law No. 1 applies in addition to the Uniform Rules.

10.0 RSL Life Membership

- 10.1 Only a person who:
- a) is an RSL Service Member; and
 - b) is awarded RSL Life Membership of the League by the League;
- Is entitled to be admitted as a RSL Life Member.
- 10.2 The Uniform Rules are adopted for dealing with the transfer of membership, suspension, disqualification and discipline of RSL Life Members. By Law No. 1 applies in addition to the Uniform Rules.

11.0 Club Associate Membership

11.1 In these Rules, the category of membership for persons known as “Club Members” in the State Rules is called Club Ordinary Membership.

11.2 Subject to Rule 11.3, 11.4 and 11.5 the Uniform Rules applying to the eligibility, admission, discipline, membership and revocation of admission of Social Members as referred to in the Uniform Rules are adopted for dealing with the eligibility, admission, revocation of admission and membership of Club Associate Members as if the reference in them to Club Members was a reference to Club Associate Members. By Law No. 1 applies to the Uniform Rules.

11.3 Only a person who is a relative of:

- a) an RSL Service Member in any category or eligible to be.
- b) a person who at the time of his or her death was eligible to be an RSL Service Member or was an RSL Service Member.

Is entitled to be admitted as a Club Associate Member.

11.4 Club Associate Members do not have a right to vote at meetings of members of the Sub Branch.

11.5 Club Associate Members who are members of the Management Committee do have a right to vote at meetings of the Management Committee on all business which can properly be dealt with at such meetings.

12.0 Club Social Membership

The Uniform Rules applying to the eligibility, admission, discipline, membership and revocation of admission of Social Members as referred to in the Uniform Rules are adopted for dealing with the eligibility, admission, revocation of admission and membership of Club Social Members as if the reference in them to Social Members was a reference to Club Social Members. By Law No. 1 applies in addition to the Uniform Rules.

13.0 Club Life Membership

- 13.1 On the recommendation of the Sub Branch Committee, Club Life Membership (exempt from payment of Club Membership fees to the Sub Branch) may be granted by a resolution passed at the Annual General Meeting to any person who has rendered special service to the Sub Branch. Notice of intention to move such a resolution shall be given with the notice of the Annual General meeting. Such resolution will require to be passed by 75% of the voting members.
- 13.2 Club Life Members shall be entitled to the same privileges and shall be bound by the constitution and By Laws of the Sub Branch in the same manner as the other categories of membership.
- 13.3 Any Club Life Member whose subsequent actions bring discredit to the Sub Branch may have their Club Life Membership withdrawn by 75% of the Members of the Sub Branch present and voting at a Special Meeting called for that purpose.
- 13.4 Life Members of the Beenleigh RSL Services Club at the date of Amalgamation will be admitted as Club Life Members of the Sub Branch.

14.0 Application for Membership

- 14.1 Every application (“Application”) for membership of the Sub Branch by any person (“Applicant”) must comply with these Rules and any relevant Uniform Rules.
- 14.2 The Applicant must be nominated by a person who is an RSL Service Member or RSL Life Member and seconded by a person who is also an RSL Service Member or RSL Life Member.
- 14.3 The Application must be in the form prescribed from time to time by the Management Committee and must be lodged with the Secretary.
- 14.4 The particulars of all applications for membership must be promptly entered in the order of time in which such applications are received by the Secretary, in a register (titled the “Proposed Members Registered”) to be kept by the Secretary. The Proposed Members Register may be kept in electronic format.
- 14.5 Every such entry must set out the full name and address of the applicant and the time and date of the receipt by the Secretary of the application.
- 14.6 Subject to the provisions of the Privacy Act 1998 (Cth), every Member is entitled to inspect the contents of the Proposed Members Register at all reasonable times upon request to the Secretary.
- 14.7 The Application must be accompanied by payment of the subscription determined in accordance with these Rules.
- 14.8 All Applications are determined by the Management Committee, but the Management Committee must not determine the Application until at least two (2) weeks has elapsed after the date of receipt of the

Application. The Management Committee may delegate its powers to a Sub Committee for the admission of Members.

14.9 The Management Committee may require an Applicant to produce such evidence of the Applicants entitlement to membership of the class of membership sought by the Applicant as the Management Committee sees fit.

14.10 Subject to the Uniform Rules dealing with applications for RSL Service Membership, if the Management Committee rejects an application for membership:

- a) the Secretary must notify the Applicant as soon as practicable;
- b) the unsuccessful applicant is not entitled to reasons for the rejection of his or her application and no appeal against the decision of the Management Committee may be made; and
- c) the Applicant's payment for the annual subscription must be refunded.

15.0 Membership Fees

15.1 The Uniform Rules are adopted for dealing with the determination of membership fees for RSL Service Members.

15.2 Subject to Rule 16.1 the membership fee for each class of membership is payable in the amount and at such time as the Management Committee from time to time determines.

16.0 Admission & Rejection of Members – RSL Service Members, RSL Associate Members, RSL Life Members and RSL Life Subscribers

The Uniform Rules relating to the admission and rejection of RSL Service Members of the League are adopted for dealing with the admission and rejection of RSL Service Members, RSL Associate Members, RSL Life Members and RSL Life Subscribers of the Sub Branch.

17.0 Admission & Rejection of Members – Club Associate Members and Club Social Members

The Uniform Rules relating to the admission and rejection of Social Members and Club Members of Incorporated Sub Branches are adopted for dealing with the admission and rejection of Club Associate Members and Club Social Members respectively of the Sub Branch as if the reference in the Uniform Rules to Social Members and Club Members was a reference to Club Associate Members and Club Social Members respectively.

18.0 Resignation of Membership

- 18.1 A member may resign from the Sub Branch by giving a written notice of resignation to the Secretary.
- 18.2 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 – that later day.
- 18.3 The Uniform Rules are adopted for dealing with the resignation of a person who is an RSL Service Member, RSL Life Member or RSL Life Subscriber.

18.4 The Uniform Rules are adopted for dealing with the resignation of any member who subsequently applies to re-join the Sub Branch.

19.0 Appeals Against Management Committee Decisions

19.1 The Uniform Rules are adopted for dealing with:

- a) any decision by the Sub Branch rejecting an Application for membership as an RSL Service Member; and
- b) an appeal by any member against a decision of the Management Committee for which a right of appeal is provided in the Uniform Rules.

19.2 Subject to Rule 19.1, no person may appeal against a decision of the Management Committee rejecting an Application.

20.0 Register of Members

20.1 The Management Committee must keep a register of members. The register may be kept in electronic format.

20.2 The register of members must include the following particulars for each member:

- a) the full name, date of birth and residential address of the member;
- b) the date of admission as a member;
- c) the date of death or resignation;
- d) details about the termination or reinstatement of membership;

- e) any other particulars the Management Committee or the members at a general meeting decide.
- 20.3 The register must be open for inspection at all reasonable times.
- 20.4 However, before the member may inspect the register, the member must apply to the Secretary to inspect it.
- 20.5 The Secretary shall furnish to the State Branch a copy of the Register of RSL Service Members and at least once in each month, such alterations as have been made to that register.

21.0 Obligations of Membership

All members must comply with all of the provisions of these Rules and of those provisions of the Uniform Rules which according to the Uniform Rules have mandatory application to them.

22.0 Secretary

- 22.1 If the Sub Branch has not elected an interim officer as Secretary before its incorporation, the members of the Management Committee must ensure a Secretary is appointed or elected within one (1) month after incorporation.
- 22.2 If a vacancy occurs in the office of Secretary, the members of the Management Committee must ensure a Secretary is appointed or elected within one (1) month, thereof.
- 22.3 The Secretary must be an individual residing in Queensland or in another State but not more than sixty-five (65) km from the Queensland boarder, who is:

- a) a member of the Sub Branch elected by it as Secretary; or
- b) any of the following persons appointed by the Management Committee:
 - (i) a member of the Sub Branch Management Committee;
 - (ii) a member of the Sub Branch; or
 - (iii) another person

22.4 The Associations Incorporations Act 1981 applies in relation to the removal of the Secretary .

22.5 Duties of the Secretary include:

- a) to convene all meetings of the Sub Branch or of the Management Committee thereof and to record the minutes of such meetings;
- b) to conduct correspondence of the Sub Branch;
- c) to keep a proper account of all monies coming to his hands and give receipts therefore and bank the same to the credit of the Sub Branch within a reasonable time thereafter.
- d) to keep a register of the members of the Sub Branch; and
- e) the duties of a Sub Branch Secretary set out in the Uniform Rules.

23.0 General Manager

23.1 A General Manager may be appointed by the Management Committee by whatever name called.

23.2 A General Manager appointed under this Rule may be given such duties as the Management Committee thinks fit including to carry out general management of the business activities of the Sub Branch.

24.0 Membership of Management Committee

24.1 The Management Committee shall consist of:

- a) a President;
- b) the immediate Past President (for a period of 1 year);
- c) Senior Vice President;
- d) one (1) Junior Vice President;
- e) subject to Rule 24.3, the Secretary;
- f) a Treasurer;
- g) three (3) RSL Service Committee Members;
- h) one (1) Club Associate Members (if nominations are not received for these positions they may be filled by RSL Service Members);

24.2 The Uniform Rules are adopted for dealing with:

- a) the maximum number of Club Associate Committee Members; and
- b) a Club Social Member not being entitled to become a member of the Management Committee;

24.3

- a) the Uniform Rules are adopted for dealing with the Sub Branch Secretary if the Secretary is a member of the Management Committee. In addition, the Secretary is not a member of the Management Committee unless the Secretary has been elected by the members.
- b) this Rule does not limit the Secretary's obligation to attend Management Committee meetings and otherwise perform the duties provided for in these Rules and the Act.

24.4 The Uniform Rules are adopted for dealing with:

- a) the requirement that all members of the Management committee be financial members of the Sub Branch; and
- b) the requirement that no member shall hold the office of President, Vice President, Treasurer or Secretary of any other Sub Branch (whether incorporated or not) while holding any of those offices in the Sub Branch.

24.5 the Uniform Rules are adopted for dealing with the nomination of a Member for more than one position on the Management Committee and the lapsing of that nomination upon election.

24.6

- a) the President, Treasurer and Junior Vice President will retire from office in the odd numbered years irrespective of the time they have held the position, however they will be eligible to nominate for re-election.
- b) the Senior Vice President and Secretary will retire from office in the even numbered years irrespective of the time they have held the position, however they will be eligible to nominate for re-election.

- c) half of the remainder of the Committee will stand down each year irrespective of the time they have held a Committee position. Should circumstances arise whereby the Constitution does not clearly define the Committee Member or Members that will stand down then the selection will be determined by ballot, however they will be eligible to nominate for re-election.

- d) notwithstanding anything contained in the above, no Committee Member can serve more than 2 consecutive years on the Committee without retiring from office, however they will be eligible to nominate for re- election.

- e) a member of the Management Committee may only be elected as follows:
 - (i) any two RSL Service Members of the Sub Branch may nominate another member (the “candidate”) to serve as a member of the Management Committee.

 - (ii) the nomination must:
 - A. be in writing;

 - B. specify the position for which the candidate is nominated; and

 - C. be signed by the candidate and the member who nominated him or her; and

 - D. be given to the Secretary at least fourteen (14) days before the Annual General Meeting at which election is to be held.

 - (iii) each member present at the annual meeting may cast votes for any number of candidates for each position (not being more than the number of vacancies)

- (iv) if at the start of the meeting, there are no candidates or not enough candidates nominated for a position or positions (other than the position of President) nominations may be taken from the floor of the meeting.
 - (v) an order drawn ballot of the candidates' names for each position on the Management Committee, with the proposers' and seconders' names shall be posted in a conspicuous place in the office or usual place of meeting of the Sub Branch for at least seven (7) days immediately preceding the Annual General Meeting.
 - (vi) where the number of candidates nominated for any one position on the Management Committee exceeds the number to be elected, a ballot shall be taken. For the purpose of conducting a ballot a Returning Officer shall be appointed by the members present at the meeting. Voting shall be by secret ballot or by show of hands as the meeting may decide. Scrutineers shall, if necessary, be elected to assist the Returning Officer. Where two or more candidates secure an equal number of votes the Returning Officer shall by means of drawing a lot determine the successful candidate.
 - (vii) where balloting lists are prepared they shall contain the names of the candidates in order drawn by the ballot and each financial member present at the Annual General Meeting and being entitled to vote shall have the right to vote for any number if such candidates not exceeding the number of vacancies.
- f) the Uniform Rules are adopted for dealing with the role of the person retiring from the office of President (the "Immediate Past President") at Management Committee meetings.

- g) the Executive Officers of the Sub Branch shall be the President, Senior Vice President, Immediate Past President (if remaining in office), Treasurer, Secretary (if unpaid) and such other members of the Management Committee as the Management Committee may decide (hereinafter called the “Executive”) who shall meet as often as the President shall deem necessary.

24.7

- a) any member of the Management Committee may resign from Membership of the Management 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.
- b) the Uniform Rules subject to 22.4 are adopted for dealing with the process for removing members of the Management Committee from office. In addition, the officer or member of the Management Committee proposed to be removed shall be given the opportunity to fully present his or her case to the Management Committee. There is no right of appeal available to an Officer or Member of the Management Committee who has been removed from office.

25.0 Vacancies on Management Committee or Executive

- 25.1 The Uniform Rules are adopted for dealing with the filing of casual vacancies on the Management Committee.
- 25.2 The continuing members of the Management Committee may act despite any such casual vacancy.
- 25.3 However, if the number of Management 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 Sub Branch.

25.4 In the event of any member of the Executive becoming medically unfit and/or incapacitated and thereby unable to carry out the responsibilities of his or her office the Management Committee may appoint one of the members of the Management Committee to act in the place and stead of any such medically unfit and/or incapacitated member of the Executive until the next Annual General Meeting.

26.0 Functions of the Management Committee

26.1 Subject to these Rules or a resolution of the Sub Branch 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 Sub Branch; and
- b) has authority to interpret the meaning of these Rules and any matter relating to the Sub Branch on which the Rules are silent.

26.2 For the purpose of this Rule:

- a) "Designated transaction" means, any transaction involving the acquisition or sale or other disposal (including by way or lease or mortgage) of any interest in any real property where the consideration exceeds the Committee Limit;
- b) in the consideration for a transaction involving a lease is the total rental payable under the lease over its term.

26.3 Subject to Rule 26.4 and 26.5 the Management Committee may exercise the powers of the Sub Branch:

- a) to borrow, raise or secure the payment of amounts in a way the members decide; and
- b) to secure the amounts mentioned in paragraph 26.3(a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred to be entered into by the Sub Branch in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Sub Branch's property, both present and future; and
- c) to purchase, redeem or pay off any securities issued; and
- d) to borrow amounts from members and pay interest on the amounts borrowed; and
- e) to mortgage or charge the whole or part of its property; and
- f) to provide and pay off any securities issued; and
- g) to invest in a way the members may from time to time decide.

26.4 For Sub Rule 26.3(d) the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by:

- a) the financial institution for the Sub Branch; or
- b) if there is more than one (1) financial institution for the Sub Branch the financial institution nominated by the Sub Branch.

26.5 The Management Committee is not authorised to enter into a Designated Transaction without the prior approval of a resolution of the members to that effect.

27.0 Meetings of the Management Committee

27.1

- a) meetings of the Management Committee shall be often as may be necessary for properly conducting the business and operations of the Sub Branch, but shall be held at least once each month.
- b) the President or any two members of the Executive request the Secretary to convene a meeting of the Management Committee.

27.2

- a) without limiting Rule 27.1 a special meeting of the Management Committee shall be convened by the Secretary on the requisition in writing signed by not less than one-third 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.
- (b) not less than fourteen (14) days notice shall be given by the Secretary to Members of the Management Committee of any special meeting called pursuant to Rule 27.2(a) such notice to clearly state the nature of the business to be discussed thereat.

27.3 At every meeting of the Management Committee a simple majority of a number equal to the number of members elected and/or appointed to the Management Committee as at the close of the last General Meeting of the Members shall constitute a quorum.

27.4 The Management Committee may meet and regulate its proceedings as it thinks fit.

27.5 The Uniform Rules are adopted for dealing with voting at meetings of the Management Committee.

27.6 A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Sub Branch in which the Member has any interest.

27.7

a) the President shall preside as Chairman at every meeting of the Management Committee.

b) if there is no President or if at any meeting the President is not present within ten minutes after the time appointed for holding the meeting, the Senior Vice President shall be Chairman.

c) if the Senior Vice President is not present then one of the other Vice Presidents (as determined by lot if need be) present at the meeting shall be Chairman.

d) if no Vice President is present, then the members of the Management Committee present may choose one of their number to be Chairman of the meeting.

27.8 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 requisition of members of the Management 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 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.

27.9

- a) the Uniform Rules are adopted for dealing with the appointment of sub-committees and the delegation of powers to them.
- b) 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 Management Committee and shall in no case commit the Sub Branch to any expenditure or obligation unless specifically authorised to do so by the Sub Branch.
- c) 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.
- d) the provisions of these Rules relating to meetings and proceedings of The Management Committee shall apply to meetings and proceedings of sub-committee, so far as the same are capable of application (mutatis mutandis)
- e) the President, Secretary and Treasurer of the Management Committee shall have the right of attending ex officio at any meeting of any sub-committee of the Sub Branch.

27.10 All acts done by meeting of the Management Committee, the Executive or a sub-committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any member of the Management Committee or persons acting as aforesaid or that the members of the Management Committee or sub-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 (as the case may be).

27.11 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 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.

27.12 The Uniform Rules are adopted for dealing with the appointment of a paid official or employee as a member of the Management Committee.

28.0 General Meetings – Timing and Notice

28.1 The First General Meeting of the Sub Branch shall be held within the time required by the Act.

28.2 The Uniform Rules are adopted for dealing with the time for the holding of each subsequent Annual General Meeting.

28.3 The Uniform Rules are adopted for dealing with the notice required for meetings of members.

28.4 The Uniform Rules are adopted for dealing with the calling of Special General Meetings of members.

29.0 General Meetings – Business

29.1 The Uniform Rules are adopted for dealing with the business which must be transacted at every Annual General Meeting.

30.0 General Meetings – Quorum

- 30.1 The quorum for a general meeting shall be the number of the Management Committee plus one.
- 30.2 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.
- 30.3 The Uniform Rules are adopted for dealing with the lapsing or adjourning of a general meeting if within half an hour from the time appointed for the commencement of a general meeting, quorum is not present.
- 30.4 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 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 meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.
- 30.5 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.

31.0 General Meetings – Procedure

- 31.1 Unless otherwise provided by these Rules, the following Rules apply to every General Meeting:
- a) the President shall preside as Chairman; or

- b) 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 if unwilling to act, the Senior Vice President shall be the Chairman; or
- c) if he or she is not present or willing to act or if none of the other Vice Presidents (as determined by lot if need be) are present or are not willing to act then the members present shall elect one of their number to be Chairman of the meeting;
- d) the Chairman shall maintain order and conduct the meeting in a proper and orderly manner;
- e) the Uniform Rules are adopted for dealing with the voting rights of members, how questions are decided at meetings and the Chairman's casting vote;
- f) voting shall be by show of hands 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 a Returning Officer to conduct the secret ballot in such a manner as the Returning Officer 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;
- g) the Uniform Rules are adopted for dealing with proxy voting.

32.0 General Meetings – Minutes

32.1 The Uniform Rules are adopted for dealing with the recording of minutes.

32.2 In addition:

- a) 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.
 - b) for the purpose 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 succeeding Management Committee meeting verifying their accuracy.
 - c) 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 Annual General Meeting.
- 32.3 The Secretary shall also keep minutes recording all appointments of Officers and the names of the Executive members of the Management Committee at all meetings of that Management Committee Executive and meetings of the Sub Branch.

33.0 By-Laws

- 33.1 The Uniform Rules are adopted for dealing with the making of by-laws by the Sub Branch;
- 33.2 Subject to those Uniform Rules the Management Committee may from time to time make, amend or repeal by-laws not inconsistent with Rules for the internal management of the Sub Branch to suit varying local conditions, provided such by-laws are not inconsistent with the constitution Rules and by-laws of the League and the State Branch.

33.3 The Management Committee shall advise members of the by-laws made, amended or repealed by it in such manner as it determines.

33.4 General Meeting of members shall also have the power to make, amend or repeal by-laws.

34.0 Alteration of Rules

34.1 The Uniform Rules are adopted for dealing with the variation of the constitution. Subject to those Uniform Rules and to the Act these Rules may be amended, repealed or added to by a special resolution carried at a general meeting subject to the written consent of State Branch.

34.2 However, an amendment, repeal or addition is valid only if it is registered by the Chief Executive under the Act.

35.0 Common Seal

35.1 The Management Committee must ensure the Sub Branch has a common seal.

35.2 The common seal must be:

- a) kept securely by the Management Committee; and
- b) used only under the authority of the Management Committee;

35.3 Each instrument to which the seal is attached must be signed by a member of the Management Committee and countersigned by:

- a) the Secretary; or

- b) another member of the Management Committee; or
- c) someone appointed by the Management Committee;

36.0 Funds and Accounts

36.1 The Uniform Rules are adopted for dealing with the keeping of accounts by the Sub Branch and to the receipt of monies and payment of accounts by the Sub Branch.

36.2 Subject to the Uniform Rules:

- a) the funds of the Sub Branch must be kept in an account in its name in a financial institution decided by the Management Committee;
- b) records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Sub Branch;
- c) all amounts must be deposited in the financial institution account as soon as possible and as practicable after receipt;
- d) payments of \$1000 or more must be made by cheque or electronic funds transfer;
- e) if an amount of \$5000 or more is paid by cheque, (excluding gaming and promotion activities) the cheque must be signed by any two of the following: President, Secretary or Treasurer or such other member in addition thereto as the Sub Branch shall, by all resolution, determine, provide that the signature of any one of the President, Secretary or Treasurer shall be essential; and
- f) cheques other than cheques for wages, allowances or petty cash recoupment, must be crossed 'not negotiable';

- 36.3 Petty cash expenditure may be from daily trade floats or from an allocated petty cash account based on the imprest system. The amount of petty cash to be kept separately in an allocated account is to be decided by the Management Committee.
- 36.4 All expenditure must be approved or ratified at a Management Committee meeting.
- 36.5 The income and property of the Sub Branch must be used solely in promoting its objectives and exercising the Sub Branch's powers.

37.0 Treasurer

- 37.1 The Uniform Rules are adopted for dealing with the position and duties of the Treasurer.
- 37.2 Subject to the Uniform Rules the Treasurer shall:
- a) exercise general supervision over the accounts and finances of the Sub Branch;
 - b) ensure proper books or accounts are kept in connection with the affairs of the Sub Branch;
 - c) cause receipt to be issued for all monies received by the Sub Branch and cause the same to be paid to the credit of the Sub Branch Bank Account;
 - d) ensure payment of all accounts passed for payment by the Management Committee; and

- e) prepare the Annual Balance Sheet and Statement of Receipts and Expenditure and any supporting documents and accounts as may be required by the Auditors.
- 37.3 If the Sub Branch is incorporated within three months before the end of its financial year, Rule 37.2(e) does not apply for the financial year in which the Sub Branch is incorporated.

38.0 Auditor

- 38.1 The Uniform Rules are adopted for dealing with the position and duties of the Auditor.
- 38.2 Subject to the Uniform Rules the Auditor must examine the statements prepared under Rule 37.2(e) and present a report about them to the Secretary before the next Annual General Meeting following the financial year for which the audit was made.

39.0 Documents

The Management Committee must ensure the safe custody of books, documents, instruments of title and securities of the Sub Branch.

40.0 Financial Year

The financial year of the Sub Branch shall end on the 31st December in each year.

41.0 Section 47 Associations Incorporation ACT 1981

Pursuant to ss.47(3) of the said Act it is expressly declared that the provisions of ss47(1) do not apply to the Rules of the Sub Branch.

42.0 Distribution of Profits, Income, Property and Assets

42.1

- a) subject to Rule 42.1(b) all profits, income, property and assets of the Sub Branch must be applied solely towards the promotion of the objects of the Sub Branch and no part of it is to be paid or transferred directly or indirectly by way of dividend, bonus or otherwise to the Members of the Sub Branch.

- b) nothing in this Rule prevents:
 - (i) the payment in good faith of remuneration to any officers or Servants of the Sub Branch or to any Member of the Sub Branch in return for any services actually rendered to the Sub Branch or for goods supplied in the ordinary and usual way of business; or

 - (ii) the payment of interest at a rate not exceeding the rate for the time being fixed for the purpose of this Rule by the directors on money owing to any Members of the Sub Branch; or

 - (iii) reasonable and proper rent for premises demised or let from any Member of the Sub Branch.

42.2

- a) this Rule also applies if the Sub Branch:
 - (i) is wound-up under Part 10 of the Act;

 - (ii) it has surplus assets.

- b) the surplus assets must not be distributed among the Sub Branch's members.
- c) the Surplus assets must be given to another charitable entity:
 - (i) having objects similar to the Sub Branch's object and
 - (ii) the Rules of which prohibit the distribution of the charitable entity's income and assets to its members.
- d) in this Rule "surplus assets" has the meaning given by s92(3) of the Act.