

1. THE MAITLAND GILBERT & SULLIVAN AND MUSICAL SOCIETY INC. (hereinafter referred as "the Society").
2. In these rules except to the extent that the contrary intention appears: "Committee" means the Committee of Management of the Society.
"The Act" means the "*Associations Incorporation Act 2009*".
"The Regulation" means the "*Associations Incorporation Regulation 2010*".
"Special General Meeting" means a general meeting of the society other than an annual general meeting.
"General Meeting" means the General Meeting of the entire financial membership of the Society.
"Committee Meeting" shall mean a meeting of the members of the Committee of Management for the time being.
"Special Resolution" shall mean a resolution required to be passed by a majority of not less than three fourths (3/4ths) of such members being present and entitled so to vote at a General Meeting of the Society of which not less than twenty one (21) days notice specifying the intention to propose the resolution as a Special Resolution has been duly given to all financial members in accordance with this constitution.
"Ordinary Resolution" shall mean a resolution passed by a majority of members present and entitled so to vote at a General Meeting of the Society of which notice required by the constitution has been given.
3. The Society will determine its address for the service of all notices by resolution of the Committee provided only that such address be notified to the general public and members at least once each year in a manner to be determined by the Committee of Management.
4. The powers and objects of the Society are:
 - a) To present, produce, manage and conduct as the Society may from time to time think fit the operas of Gilbert & Sullivan and any other music and to foster and promote music and the arts for the youth of the community and to take part in and foster such other cultural activities as the Society may see fit;
 - b) To purchase, take on lease, exchange hire or otherwise acquire any property real or personal or any rights or privileges, improve, mortgage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Society constructions, maintenance and alteration of buildings or works necessary or convenient for any of the objects or purposes of the Society;
 - c) To invest or otherwise deal with any moneys and to vary, transfer, sell or otherwise dispose of any investment;
 - d) To borrow money or obtain the payment of money, whether as an unsecured loan or by way of mortgage or otherwise and to repay any of such loan or to purchase back or obtain the release of any such security;

- e) To invite and receive donations or grants;
- f) The taking of such steps from time to time as the Committee or the members in General Meeting may deem expedient for the purposes of procuring contributions to the funds of the Society whether by way of donation, subscriptions or otherwise;
- g) The printing and publishing of such newsletters, periodicals, books, leaflets or other documents as the Committee or the members in General Meeting may consider desirable for the promotion of the objects and purposes of the Society;
- h) Subject to the provisions of the Trustee Act, the investment of any moneys of the Society not immediately required for any of its objects or purposes in such manner as the Committee may from time to time determine;
- i) The making of gifts, subscriptions or donations to any of the funds, authorities, organisations or associations as the Society in General Meeting may regard as desirable; provided always that such gifts, subscriptions or donations shall only be constituted of non—charitable moneys raised other than for the furtherance of the charitable objects enumerated in sub-paragraphs a) to q) herein;
- j) The establishment and support or aiding in the establishment or support of any other organisation or association formed for any of the basic objects of this Society;
- k) The purchase or acquisition and undertaking of all or any part of the property, assets, liabilities and engagements of any Society with which this Society may at any time become amalgamated in accordance with the provisions of the Rules of the Society;
- l) To promote and advance the cause of community Theatre as a public benefit;
- m) To promote and advance community Theatre and the disbursement of information relating to its appreciation in general throughout the community;
- n) To promote and advance through the medium of community Theatre the standard of instruction and entertainment throughout the community;
- o) To promote and advance education throughout the community via the medium of community Theatre;
- p) To promote and advance the relief and distress of the aged, impotent, poor and sick by the provision of information, instruction and entertainment through the medium of community Theatre;
- q) The doing of all such other lawful things as are incidental or conducive to the obtaining of the basic objects of the Society or any of the objects and purposes specified in the foregoing provisions;

5. **MEMBERSHIP:**

- a) Application for membership shall be in such form and contain such requirements as the Committee from time to time prescribes provided that payment is made of any annual subscription, the amount of which has been determined by an Annual General Meeting, and further, providing such persons are interested in fostering the above objectives;

- b) As soon as practicable after the receipt of an application for membership it shall be considered by the Committee who shall thereupon determine upon the admission or rejection of the applicant. In no case shall the Committee be required to give any reason for the rejection of an applicant. Issue of a receipt to the applicant denotes acceptance of membership. An applicant that is rejected membership shall be notified in writing.
- c) A register of members shall be kept showing in respect of each member his name and address and the date of commencement and category of membership.
- d) The Society in General Meeting may establish other classes of members on such terms and conditions as may be prescribed and whether with or without the right to attend or vote at General Meetings of the Society provided always that such meeting shall define the rights and fees applicable to any particular class of membership.
- e) Any member may resign from the Society and such resignation must be in writing addressed to the Committee.

6. ASSOCIATE MEMBERSHIP:

Application for "associate membership" shall be in such form and contain such requirements as the committee from time to time prescribes subject to items (a) to (h) below, provided that payment is made of any annual subscription, the amount of which has been determined by a General Meeting and further provided that such persons are interested in fostering the objectives contained in these rules.

- a) Associate membership has no voting rights at Annual General Meeting or General Meetings or committee meetings.
- b) Associate membership has no right to be elected to the management committee
- c) Associate members will pay a nominal annual membership fee only, with a minimum of \$2 per annum.
- d) Associate membership is an annual membership.
- e) Associate membership will have limited other general benefits or conditions as prescribed by the management committee from time to time, provided that such prescribed benefits or conditions do not override the minimum provisions of this clause 6.
- f) Associate membership includes the right to volunteer in any capacity to assist in the business of the musical society including all on and off stage functions except for as otherwise defined in this clause.
- g) Associate members are encouraged to consider full membership to fully participate in the society. Associate members are additionally defined as those not involved in full dress rehearsals and performances.
- h) Subject firstly to this clause 6, associate membership is otherwise subject to all other provisions covering membership under these rules including life membership, forfeiture of membership, disciplining of members.

7. LIFE MEMBERSHIP:

Life membership may be conferred by Special Resolution of the Society passed at any General Meeting of the Society provided only that no person shall be nominated for life membership unless that person has given outstanding and meritorious service to the Society in any capacity or combination of capacities for a period exceeding fifteen (15) years.

8. FORFEITURE OF MEMBERSHIP:

Any member whose annual subscription is unpaid at the expiration of twenty eight (28) days after the Annual General Meeting shall cease thereby to be a member of the Society and shall forfeit all rights and privileges of membership but may be reinstated in the discretion of the Committee or upon payment of all arrears.

9. OFFICERS OF THE SOCIETY:

The Officers of the Society shall consist of a Patron or Patrons, President, two (2) Vice Presidents, Honorary Secretary, Honorary Minute Secretary, Honorary Treasurer, each of whom shall be elected for the ensuing twelve (12) months at the Annual General Meeting of the Society to be held in each year. The legislated position of "Public Officer" of the Society is also defined and recognised in these rules, as detailed in clause 50.

Duties -

a) Secretary

- (i) The secretaries of the society must, as soon as practicable after being appointed as secretary, lodge notice with the society of his or her address.
- (ii) It is the duty of the secretary to keep minutes of:
 - (a) All appointments of office-bearers and members of the committee.
 - (b) The names of members of the committee present at a committee meeting or a general meeting.
 - (c) All proceedings at committee meetings and general meetings.
- (iii) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

b) Treasurer

It is the duty of the treasurer of the society to ensure:

- (i) That all money due to the society is collected and received and that all payments authorised by the society are made, and
- (ii) That correct books and accounts are kept showing the financial affairs of the society, including full details of all receipts and expenditure connected with the activities of the society.

10. MANAGEMENT OF THE SOCIETY:

The affairs of the Society will be conducted by a Committee of Management of ten (10) elected persons which will include the President, Secretaries, Vice Presidents, Treasurer, Publicity Officer, Marketing and Events Management Officer, and Asset / Properties Officer . A quorum of any Management Committee Meeting shall be in accordance with clause 24 e) of these rules.

11. ANNUAL GENERAL MEETING:

- a) The Annual General Meeting of the Society shall be held by the end of the month of July of each year. A notice stating the objects of the meeting and the time and place at which it is to be held shall be posted on the notice board of the Society and a similar notice shall be sent by the Secretary to each member, at least fourteen (14) clear days prior to the day of such meeting. Ten (10) members shall constitute a quorum.
- b) The Committee of Management may advertise the Annual General Meeting in any widely circulated local newspaper and such advertisement shall be deemed to constitute due notice. Any failure to so advertise shall not thereby invalidate any such meeting.
- c) Any member may submit any resolution to be placed before the Annual General Meeting. Notice of any such proposed resolution shall be given by posting such notice by ordinary post to the Secretary at the advertised address of the Society or by delivering it personally to the Secretary so as to reach him not later than one (1) month prior to the date of the Annual General Meeting.
- d) If the Committee of Management fails to call the Annual General Meeting of the Society in accordance with these Rules, any ten (10) members of the Society may, by requisition in writing signed by them, call upon the Committee of Management forthwith to call the Annual General Meeting. If after the requisition, the Committee of Management fails within fourteen (14) days to call the Annual General Meeting, the members signing the requisition may jointly proceed to call the Annual General Meeting and all records of the Society shall be made available to them for that purpose and the meeting shall be validly held notwithstanding the failure through inadvertence or other reasonable cause to give notice to any member or organisation entitled to receive notice.

12. All other meetings of the Society other than the Annual General Meeting shall be called General Meetings.

13. The Committee of Management may at any time for any special purpose call a General Meeting of the Society. The Committee of Management shall call such a meeting forthwith upon receipt of a requisition in writing, signed by any ten (10) members of the Society stating the purpose for which the meeting is required.

14. NOTICE OF GENERAL MEETING:

- a) Every notice convening a General Meeting shall specify the place, day and the hour of the meeting and shall furnish such further information as will indicate the business to be transacted. Such notice shall be sent by ordinary post or electronic transmission to every member and shall be so sent as to give not less than fourteen (14) clear days notice in the case of an Annual General Meeting and not less than twenty one (21) clear days notice in the case of a General Meeting. A notice in these terms in any newsletter of the Society shall be deemed sufficient notice.

- b) Provided notice of any meeting shall have been duly sent in accordance with the previous article of this constitution to the last known address of a member, the non—receipt of a notice of a meeting by any member entitled to receive notice shall not invalidate the proceedings of any meeting.

15. DISCIPLINING OF MEMBERS:

A member may be expelled from membership of the Society by the Committee if, in the opinion of the Committee, after affording such member opportunity of offering the Committee an explanation of his conduct, either verbally or in writing as the Committee may decide, the conduct of the member is such as to be detrimental to the best interest of the Society provided that: -

- a) Such expulsion shall not be effective for a period of fourteen (14) days after the date of the resolution causing such expulsion and during that period of fourteen (14) days the member the subject of such expulsion may lodge a notice of appeal with the Secretary or the President and any appeal so lodged shall be adjudicated upon by a Special General Meeting of members convened to consider the expulsion;
- b) Such General Meeting is held within a period of one (1) month from the date of the decision of the Committee to expel the member;
- c) At such General Meeting, the member whose expulsion is under consideration shall be allowed to offer an explanation for his conduct verbally or in writing at the option of such member;
- d) Voting of such General Meeting shall be by ballot if not less than five (5) members present thereat shall so demand;
- e) It shall be in the power of the Committee to exclude such member from participation in the affairs of the Society until such General Meeting shall be held;
- f) In any such expulsion proceedings the accused member shall be given a copy of the accusation in writing not less than seven (7) clear days prior to such meeting and such accusation shall be forwarded by ordinary post to the member's last advised place of abode and three (3) additional days shall be deemed sufficient to enable postal delivery.
- g) Nothing in this article shall prevent the Committee of Management from inviting a member to withdraw from the Society voluntarily.
- h) Subject to the above the procedure for disciplining members shall be determined by the Committee. Anyone who wishes to appeal against a decision refusing membership, expelling them from membership or otherwise disciplining them may do so at the next General Meeting of the Society.

16. QUORUM AT GENERAL MEETING:

- a) No business shall be transacted at any General Meeting unless a quorum of members is present at the time the meeting proceeds. Then ten (10) members entitled to vote shall constitute a quorum at any General Meeting of the Society.
- b) If, within thirty (30) minutes from the time appointed for the meeting a quorum is not present, the meeting, if convened pursuant to a requisition shall be

closed and dissolved. In any other case the meeting shall stand adjourned to the same day on the next week at the same time and place or such other day (not being more than fourteen (14) days after such first meeting date) at such time and place as the Chairman may decide and, if at the adjourned meeting a quorum is not present within thirty (30) minutes of the time appointed for the meeting, the members present shall constitute a quorum and all decisions duly made deemed valid and shall not require ratification.

- c) The President or, in his absence, the Vice President shall preside at every meeting and if the President or Vice President, as the case may be, shall not be present within thirty (30) minutes after the time appointed for holding a meeting or is not willing to act as Chairman, the members present shall choose one of their own number to be Chairman.
- d) The Chairman may, with the consent of the meeting at which a quorum is present or where, in his opinion, it is necessary for the preservation of order or the due transaction of business (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 the adjourned meeting other than the business unfinished at the meeting from which the adjournment took place.

17. VOTING:

- a) Each member present and voting at a meeting of the Society shall have one (1) vote and it shall be decided on by a show of hands or by a written ballot. In the case of an equality of votes, the Chairman shall have a casting vote only.
- b) If, in the event of a ballot being necessary or called for, the method of voting commonly known as first past the post shall be applicable. This shall be in the form of a secret ballot.
- c) Postal and proxy votes shall not be permitted.

18. TRUSTEES OF THE SOCIETY:

- a) There shall be eight (8) Trustees of the Society. Three of these shall be the President, the Secretary and the Treasurer and the remaining five (5) shall be appointed by the Committee of Management. The Trustees shall be appointed by the Committee of Management and the property of the Society (other than cash which shall be held under the control of the Treasurer) shall be vested in them to be dealt with by them as the Committee of Management from time to time shall direct by a resolution (of which an entry in the minute book shall be conclusive evidence) the Trustees shall be indemnified against risk and expense out of the Society property and funds and have the power to sue and be sued in the name of the Society. The Trustees shall hold office until death or resignation or until removed from office by a resolution of the Committee who may for any reason which may seem sufficient to a majority of them present and voting at any meeting remove any Trustee or Trustees from the office of Trustee.
- b) A Trustee must be a member of the Society.
- c) Nothing in these Rules prevents office holders of the Society being Trustees.
- d) A Trustee may not execute any legal document without specific direction from the Committee of Management.

19. In addition to the elected members, the Committee of Management shall have power to co-opt other members to the Committee and such co-opted members shall hold office at the discretion of the Committee and shall be entitled to the same rights and privileges and subject to the same liabilities and duties as elected members of the Committee of Management.
20. Each member of the Committee of Management shall retire at the next Annual General Meeting following his election or appointment but shall be eligible for re-election.
21. Nominations for election of any member to the Committee of Management shall be proposed by a member of the Society. Nominations may be in writing but shall also be acceptable from the floor of the meeting, provided always the nominee shall consent thereto.
 - a) A member of the Society may nominate himself as a candidate for election or re-election to the Committee of Management.
 - b) Nominations may be received by the Chairman up to the time of the commencement of the ballot.
 - c) In the event of there being more than one nomination for any elected position, a ballot shall be conducted at the Annual General Meeting and the candidate who obtains the highest vote shall be declared elected. In the event of equality of votes, a further ballot or ballots shall be held and if this does not result in one candidate obtaining a majority of votes the matter shall then be decided by drawing of lots the name first being drawn being the one to be elected.
 - d) A casual vacancy in any elected position or office of the Committee of Management may be filled by the Committee of Management but any person chosen to fill such casual vacancy shall retire at the next Annual General Meeting.
 - e) The continuing members of the Committee of Management may act notwithstanding any vacancy in their number but if the number of the Committee of Management falls below six (6) members, the Committee of Management shall only act in an emergency or for the purpose of filling any vacancies.
22. The Society by Special Resolution may remove at a General Meeting any member of the Committee of Management on twenty one (21) days clear notice being given to the members in accordance with this constitution and may by ordinary resolution appoint some other qualified person in his stead for the balance of his term of office only.
23. DISQUALIFICATION OF MEMBERS OF THE COMMITTEE OF MANAGEMENT:

The office of a member of the Committee of Management shall ipso facto become vacant: -

 - a) Upon his decease;
 - b) If he becomes bankrupt or make any arrangement or composition with his creditors generally;
 - c) If he becomes mentally ill or a person whose personal estate is liable to be dealt with in any way under the law relating to mental health;

- d) Ceases to be a member of the Society or is suspended for any period from such membership or
- e) If he is absent for more than four (4) consecutive meetings of the Committee of Management without the consent of the Committee of Management; or
- f) If he resigns his office in writing to the Society.

24. COMMITTEE OF MANAGEMENT MEETINGS:

The Committee of Management shall meet regularly in each calendar year. A meeting may at any time be called by the President and shall be called by the Secretary upon receipt by him of a written request from any two members of the Committee of Management.

- a) Every notice convening any meeting of the Committee of Management shall specify the place, day and hour of the meeting and furnish such other further information as will indicate the business to be transacted;
- b) Such notice shall be given to each member of the Committee of Management by telephone, in person or by ordinary post at his registered or last known address or by electronic transmission, provided only that notice to remove from office any member of the Committee of Management shall be communicated to that member by ordinary post at his registered or last known address. Notices shall be given so as to give the recipient not less than seven (7) clear days notice in the case of an ordinary meeting and not less than forty eight (48) hours notice in the case of a meeting deemed by the President to be a meeting of urgent necessity.

Nothing herein shall prevent the Committee of Management from establishing a regular meeting to be held at the same date, time and place on a monthly or similar basis and in the event that such an arrangement is approved by a duly convened Committee of Management meeting, no further notice shall be necessary for such meetings only.

- c) Providing notice has been given as herein above defined, the non-receipt of a notice of a meeting by a member entitled to receive notices shall not invalidate the proceedings of any meeting.
- d) At all meetings of the Committee of Management, the President or, in his absence, the Vice President, shall preside as Chairman and, if at any meeting, the President or Vice President, as the case may be, is not present within fifteen (15) minutes after the time appointed for holding the meeting, the members of the Committee of Management shall choose one of their number to be Chairman for that meeting.
- e) The quorum necessary for the transaction of the business of the Committee of Management may be fixed by the Committee of Management and unless so fixed shall be six (6) members and in no case shall the quorum be fixed at less than six (6) members provided that where the Society or the Committee of Management is under an obligation to act or to take action within the particular time to avoid a penalty, the Committee of Management may, by resolution, authorise such action in the absence of a quorum.
- f) Nothing herein shall prevent the Committee of Management from ex post facto ratifying a decision taken in the best interests of the Society by members of the

Committee of Management not constituting a quorum in circumstances where time is of the essence and speed imperative.

- g) Questions arising at any meeting of the Committee of Management shall be decided by majority of votes of the members of the Committee of Management then present in person. In the event of an equality of votes, the Chairman shall have a casting vote only.
- h) The Committee of Management may delegate any part of its powers to sub-committees consisting of such member or members of its body or members of the Society as it thinks fit; any sub-committee so formed shall in the exercise of the powers so delegated conform to any restrictions imposed on it by the Committee of Management.
- i) All acts done by any meeting of the Committee of Management or of any sub-committee or by any person acting as a member of the Committee of Management or sub-committee shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such Committee of Management or member acting as aforesaid or that they or any of them were disqualified, be as valid as if any person had been duly appointed and was qualified to be a member of the Committee of Management or sub-committee.

25. MINUTES:

The Committee of Management shall cause proper minutes of its meetings to be made and any such minutes of any meetings of the Committee of Management, if purporting to be signed by the Chairman of such meeting, shall be received as prima facie evidence of the matters stated in such minutes and the validity thereof.

26. ACCOUNTS:

All cheques, promissory notes, drafts, bills of exchange and other negotiable instruments shall be drawn, accepted, endorsed or otherwise executed as the case may be by any two (2) members of the Committee of Management as the Committee may determine from time to time provided that one of such signatures must be that of the Treasurer, President or Public Officer.

- 27. The accounts and all books, letters, papers and documents of the Society shall be kept at a place to be specified by the Committee of Management and shall always be open to inspection by a member of the Committee of Management.
- 28. Any financial member of the Society shall have the right to peruse and copy any of the financial records of the Society and such records shall be made available at a reasonable time not inconvenient to the efficient conduct of the Society's activities.
- 29. The financial year of the Society shall end on the 31st day of March in each year.
- 30. A person's subscription shall expire at the conclusion of the Annual General Meeting when further subscriptions will become due and owing.
- 31. The annual subscription shall be determined at the Annual General Meeting.
- 32. The Committee of Management shall have the power to waive the annual subscription in cases deemed appropriate by a majority of the Committee of Management.

33. Persons joining the Society in mid term may be charged a subscription on a pro rata basis or otherwise as the Committee of Management may determine.
34. No member shall be entitled to vote at the Annual General Meeting unless and until they have been a member for a period in excess of sixty (60) days.
35. The accounts shall be audited as soon as practicable after the end of the financial year by a person who shall be appointed by an Annual General Meeting and who shall not be a member of the Committee of Management. A vacancy occurring in the office of auditor during the year shall be filled by the Committee of Management as a casual vacancy and such appointee shall hold office until the next Annual General Meeting.
36. Every balance sheet and statement of income and expenditure of the Society that is audited and approved by a General Meeting shall be conclusive except as regards an error discovered therein within three (3) months next after approval. Whenever any such error is discovered within the period, the balance sheet and statement of income and expenditure shall forthwith be corrected and thenceforth shall be conclusive.
37. The funds of the Society shall be kept under such supervision and in such place and manner as shall be determined by the Society which may delegate this power to the Committee of Management. The Committee of Management shall have the power to expend the Society's funds in such a manner as it may think fit in accordance with the constitution of the Society. The Committee of Management may recoup any officer traveling and other expenses incurred on behalf of the Society.

38. STANDING ORDERS:

The Committee of Management may from time to time make and repeal and amend such standing orders (not inconsistent with the constitution) as it shall think expedient for the internal management and well being of the Society. All standing orders made by the Committee of Management may be set aside by ordinary resolution of a General Meeting of the Society.

39. RESOLUTION OF DISPUTES

- (a) A dispute between a member and another member (in their capacity as members) of the society, or a dispute between a member or members and the society, are to be referred to a community justice centre for mediation under the "Community Justice Centres Act 1983".
- (b) If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute is to be referred to arbitration.
- (c) The "Commercial Arbitration Act 1984" applies to any such dispute referred to arbitration.

40. NOTICES GENERALLY:

- a) Any notices required to be given to any person or body by these Rules may be given by handing the same personally to the person or to the Secretary of the particular body or by sending the same by prepaid ordinary post addressed to such person or Secretary at his address as noted in the books of the Society or given by him as his address for service or his last known place of abode or business where so noted or by electronic transmission. Where a notice is sent

by post it shall be deemed to have been received on the third (3rd) day following the day of posting.

- b) The signature to any notice to be given by the Society may be written, type written or printed.

41. ALTERATIONS TO RULES OR OBJECTS:

These Rules may be amended by a resolution passed by a three quarter (3/4) majority of members present and voting at any Annual General Meeting at which notice of the proposed amendment shall have been given in accordance with these Rules or at a Special General Meeting convened for such purpose.

42. DISSOLUTION:

- a) The Society shall be dissolved in the event of the membership being less than eleven (11) persons for a continuous period of three calendar months or upon the vote of a four fifths (4/5ths) majority of members present at a General Meeting convened in accordance with this constitution to specifically consider such question.
- b) Upon a resolution being passed in accordance with the above paragraph, all assets and funds of the Society on hand shall, after the payment of all expenses and liability, be handed over to an organisation with objects of a similar nature to this Society and no property whatsoever shall be paid to or distributed amongst the membership of this Society and any association to whom the property is given shall have a similar article preventing distribution of its assets amongst its members within its own constitution and be a registered or exempted charity.

43. INTERPRETATION:

The Committee of Management shall be the sole authority for the interpretation of the constitution and by—laws for the internal management of the Society and the decision of the Committee of Management upon any question of interpretation or upon any matter affecting the Society and not provided for by these Rules or by the by-laws and any Regulation made thereunder shall be final and binding on the members.

44. AUTHORISATION OF ACCOUNTS:

All accounts shall be presented to and passed for payment at a meeting of the Committee of Management and full details of all such approvals shall be entered in the Minute Book.

- 45. The President and Secretary shall be ex officio members of all sub-committees.
- 46. Nothing in these rules shall prevent the Society from admitting members during their minority but no member shall be permitted to exercise voting rights as defined herein until attaining the age of eighteen (18) years.
- 47. The power to dispose of any real estate held on trust for the Society shall require a Special Resolution of the Society as defined in Clause 2 herein.

48. MEMBERS' LIABILITIES:

The Members of the Society shall have no liability to contribute towards the payments of debts and liabilities of the Society or the costs, charges and expenses of the winding up of the Society except to the amount of any unpaid membership fees.

49. SOURCE OF FUNDS:

The funds of the Society shall be derived from the fees of the Members, donations, grants and such other sources approved by the Society.

50. PUBLIC OFFICER

The role of "Public Officer" is defined in these rules, as per current NSW legislation for incorporated bodies, as follows:

a) Role of public officer

An incorporated association is required to have a public officer who has attained the age of 18 years and is a resident of New South Wales.

The public officer is the official contact point for an incorporated association. The public officer can be a committee member, a member of the association or an outsider. The public officer's address may be used as an official address for the service of documents on the association. To this end, the public officer is required to bring all documents received by him or her to the attention of the committee as soon as practicable.

The public officer of an incorporated association may hold any other office of the association.

b) Appointment and removal

The committee of an incorporated association appoints the public officer for the association.

The public officer shall be deemed to have vacated the office if the public officer:

- (i) dies,
- (ii) resigns in writing to the committee,
- (iii) is removed from office by way of a resolution passed at a general meeting of the members of the incorporated association,
- (iv) becomes bankrupt,
- (v) becomes a mentally incapacitated person,
- (vi) ceases to be a resident of New South Wales.
- (v) in such other circumstances as the constitution of the association may provide.

The position of public officer must not remain vacant for more than 14 days. Within 14 days of a vacancy occurring, the committee must notify the Registry of Co-operatives & Associations of the vacancy and appoint a new public officer. The new public officer is also required to give notice of his or her appointment to the Registry within 14 days of the appointment. Notice of a vacancy and subsequent appointment of a public officer is required to be

given on the "Notice of vacancy/appointment/change of address of public officer" from the NSW Dept of Fair Trading.

Where the committee of an incorporated association fails to notify the Registry of the vacancy or fill the position within 14 days, each member of the committee is guilty of an offence and liable to a penalty.

Upon vacating the position, the public officer should pass on all information held on behalf of the association to his or her successor.

c) Duties and obligations of a public officer

All duties and obligations of the public officer are fully defined in the relevant sections of the NSW legislation relating to incorporated bodies.

Refer for further information on this position to the Department of Fair Trading on the internet.

51. PRIVACY CODE

- a) The Society respects the privacy of its members, and any relevant information it collects and records regarding its members. Only members of the management committee, and / or its nominated representatives, and / or the Public Officer may have access to and use of these records.
- b) Any such information is to be treated confidentially, and used only by those defined above and only on a needs to use basis, consistent with the proper functioning of the Society as defined elsewhere in these rules.
- c) The management committee is required to routinely monitor any legal requirements regarding information privacy under NSW or Federal legislation and if and as required ensure that the Society so complies.

52. INSURANCES

The society will effect and maintain appropriate insurances.

End of rules