



## RULES<sup>i</sup>

1. The name of the incorporated association shall be  
BRISBANE AND DISTRICTS EIGHTBALL ASSOCIATION INCORPORATED.

### OBJECTS

2. The objects for which the Association is established are:

The objects in general of the association are to foster, encourage and stimulate interest in the game of Eight Ball and to endeavor to maintain a high standard of science and sportsmanship in the playing of Eight Ball and also by the maintenance of library reading rooms, to provide care of information and advice on all matters pertaining thereto and in particular:

- (1) To be the accredited representatives of all who play Eight Ball; to promote the welfare of such games and the players; to take such action thereon as may be deemed expedient and generally control in the Brisbane and Districts zone, the game of Eight Ball.
- (2) To promote the culture of the game of Eight Ball in any way the Association shall think proper, including the maintenance and support of Associations and Clubs for promoting and playing the said game;
- (3) To foster, encourage and provide where possible, facilities for playing a game of Eight Ball Pool;
- (4) To Promote and hold, either alone or jointly with any other Association or players, Eight Ball tournaments, competitions, and matches and to offer, give or contribute towards prizes, medals, and awards and to give or guarantee any prize money and expenses whether for members or for professionals or other persons, and by these or like means to encourage the culture of Eight Ball and to promote, give or support dinners, balls, social gatherings or other entertainment's.
- (5) To establish, acquire, print, publish, circulate, sell or otherwise deal with any publication on Eight Ball.
- (6) To determine any differences arising between players with regard to the interpretation of the rules of the game and to take all such steps as the Association may deem necessary for enforcing a correct interpretation of the rules and to prevent any infringement thereof or the introduction of improper methods or practices in such games and the protections of the players and the public from abuse thereby.
- (7) To promote, manage and control matches for the Brisbane and Districts Eightball Association and subject as aforesaid, to make, adopt and vary rules, regulations, by-laws and conditions for the conduct and regulations of such matches.
- (8) To define and from time to time, alter and vary conditions which qualify a player to be an Amateur.
- (9) To manage all funds and assets of the Association and generally to give effect to any other matters incidental or **conductive** to the furtherance of the objects and aims of the Association.

### POWERS

3. The powers of the Association are:

- (1) To take over the funds and other assets and the liabilities of the present incorporated Association known as the "BRISBANE AND DISTRICTS EIGHTBALL ASSOCIATION".
- (2) To subscribe to, become a member of and co-operate with any other Association, Club or Organization, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds, any Club, Association or Organization which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by the virtue of rule 28 (10)
- (3) In furtherance of the objects of the Association 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;
- (4) To purchase, take on lease or in exchange, hire an 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:
- (5) To enter into any arrangements with any Government or Authority that are incidental or **conductive** to the attainment of the objects and the exercise of the powers of the Association; to obtain from any 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 such arrangements, rights, privileges and concessions;
- (6) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association;
- (7) To remunerate any person or body corporate for services rendered or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in

- furtherance of its objects;
- (8) To construct, improve, maintain, develop, work, manage, carry out, alter, or control any houses, buildings, grounds, works, or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidize or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof;
  - (9) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit;
  - (10) To take, or otherwise acquire, and hold shares, debentures or other securities of any other body corporate;
  - (11) In furtherance of the objects of the Association to lend and advance money or credit to any persons or the body corporate; to guarantee and give guarantee or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise assist to any person or the body corporate ;
  - (12) To borrow or raise money either alone or with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, Lien or other security upon the whole or any part of the incorporated Association's property or assets present or future and to purchase, redeem or pay-off any such securities ;
  - (13) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills or exchange of bills of lading, or other negotiable or transferable instruments;
  - (14) In furtherance of the objects of the Association, to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property rights of the Association.
  - (15) To take or hold mortgages, Liens or charges, to secure payment of any purchase price, or any unpaid balance of the purchase price, of any part of the Association's of whatsoever kind sold by the Association, or any money due to the Association from purchases and others ;
  - (16) To take any gift of 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 sub-rule (4);
  - (17) 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 ;
  - (18) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects;
  - (19) In Furtherance of the objects of the Association 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)
  - (20) In furtherance of the objects of the Association to purchase or otherwise acquire and undertake 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 authorized to amalgamate ;
  - (21) In furtherance of the objects of the Association to transfer all or any part of the property, assets, liabilities, and engagements of the Association to one or more of the incorporated Associations with which the Association is authorized to amalgamate ;
  - (22) To make donations for patriotic, charitable or community purposes;
  - (23) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged;
  - (24) To hear, investigate, and adjudicate upon any charges against player, Club, Association or Sub Association for the Association or against any member of this Association or affiliated Sub-Association and to take such action as deemed advisable;
  - (25) To suspend players, impose fines upon players, members, Clubs, Associations or Sub-Associations for the Association seen fit and for any period or amounts, for any reason considered detrimental to the game of eight ball or this Association or any breach of By-laws ;
  - (26) The Association or its appointed Judiciary Committee shall have the power to adjudicate or referee any **dispute that may arise** between a player and any Club provided a written complaint is received from either party with a request to adjudicate such dispute. The Association ruling on the dispute shall be binding on all parties provided all parties have had the opportunity to present their case;
  - (27) To accept or reject all classes of membership;
  - (28) To terminate membership or re-instate such membership in terms of sections 7 and 8 of Classes of membership;
  - (29) To do all such other things as are incidental or **conducive** to the attainment of the Objects and the exercise of the powers of the Association;

#### **CLASSES OF MEMBERS**

4. The membership of the Association shall consist of the following classes.

- (1) Life Members.
- (2) Ordinary Members.
- (3) Social Members.
- (4) Honorary Temporary Members.
- (5) Corporate Members.
- (6) Junior Members.

## DEFINITIONS

### (1) LIFE MEMBER.

- (a) The Association may at any Annual general Meeting elect as a Life Member of the Association any member or former member of the Association who has made an outstanding contribution to the advancement of Eight Ball in Brisbane and Districts for a period not less than 7 (seven) years.
- (b) The number of Life Members conferred in any one year may be determined from time to time by the Management Committee,
- (c) Application for Life Membership shall be submitted in writing not less than one month prior to the Annual General Meeting by an Affiliated Association or Sub-Association and must be signed by a financial ordinary member of the Association or Sub-Association who are members of the Association or Sub- Association.
- (d) The application shall be submitted to the Management Committee who shall meet and by a MAJORITY vote approve such a nomination for submission to the Annual General Meeting, ANY such submission not so approved shall go no further. On submission of such application to the Annual General Meeting may be granted on a majority vote by ballot.
- (e) Life Members shall be entitled to speaking privileges of all Association Meetings and the privilege of voting at any Annual General Meeting of the Association.

### (2) ORDINARY MEMBERS.

- (a) Each application for submission shall be an amateur eight (8) ball player who has resided in the State of Queensland for a period of six months prior to application for admission, or have been a member of an Affiliated Association, Sub-Association, League, Club or Institution accepted as such by the Management Committee ;
- (b) The Management Committee shall be empowered to accept or decline any person, Association, Sub-Association, League, Club, or Institution applying for admission.
- (c) The Management Committee shall empowered to decline or accept the subscription of any person, Association, Sub-Association, League, Club or Institution of the renewal of membership and thereupon such person, Association, Sub-Association, League, Club or institution shall cease to be a member of the Association and any fees paid in respect of such period shall be refunded.

### (3) SOCIAL MEMBER

- (a) A social member shall be any person who is not necessarily actively engaged in the sport of eight ball, but who wishes to participate in the social activities conducted by the Association for the benefit of eight ball.
- (b) A Social member shall not be entitled to vote at any Annual General Meetings, or general meetings of the Association, nor contest any election of office bearers of the Association.

### (4) CORPORATE MEMBER

- (a) A Corporation may qualify for membership by payment of substantial donation to the Association or by acceptance of corporate membership provisions as offered by the Association from time to time.
- (b) Holders of corporate membership shall not vote at any Annual General Meeting or general meeting of the Association, nor contest any election of office bearers of the Association unless they qualify to do so under the provisions laid down for ordinary membership.

### (5) HONOURARY TEMPORARY MEMBER

- (a) An honorary and or temporary membership may be conferred or revoked by the Management Committee or their representative on any member of a sporting team that is unaffiliated with the Association for the day or period of time those such sporting activities will take place for the duration of their visit.
- (b) Such holders of honorary temporary membership shall not be entitled to vote at any meetings of the Association or to hold office of any capacity of the Association, and such membership can be revoked by the Management Committee or their representative.

### (6) JUNIOR MEMBERSHIP

- (a) Persons under the age of 18 (eighteen) who are registered and participating in the Association, Sub Association, League, Club or Institution fixtures.
- (b) Because junior playing members are minors they shall not be entitled to vote at any meeting, but may be represented by parents or guardians who shall be deemed ordinary members.

## LIMITATIONS

5. The membership of the Association shall have following limitations.

- (1) The number of Life Members is unlimited.
- (2) The number of Ordinary Members is unlimited.
- (3) The number of Social Members is unlimited.
- (4) The number of Honorary Temporary Members is unlimited.
- (5) The number of Corporate Members is unlimited.
- (6) The number of Junior Members is unlimited.

The application for membership shall be made in writing, signed by the applicant and his proposer and second, and shall be in such form as the Management Committee from time to time proscribes.

## MEMBERSHIP FEES

- 6.1 The membership fees for each class of membership shall be such sum as the members shall from time to time at any general meeting so determine.
- 6.2 The membership fees for each class of membership shall be payable at such time and in such manner as the Management Committee shall from time to time determine.

## ADMISSION AND REJECTION OF MEMBERS

- 7.1 At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of membership, such application considered by the Management Committee, who shall determine upon admission or rejection of the applicant ;
- 7.2 Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for ;
- 7.3 Upon the acceptance or rejection of an application for any class of membership, the secretary shall forthwith give the applicant notice in writing of such acceptance or rejection;

## TERMINATION OF MEMBERSHIP

- 8.1 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.
- 8.2 If a member -
  - (a) Is convicted of an indictable offense; or
  - (b) Fails to comply with any provision of these rules; or
  - (c) Has membership fees in arrears for a period of one month or more; or
  - (d) Conducts himself in a manner considered to be injurious or prejudicial to the character or the interests of the Association.The Management Committee shall consider whether his membership shall be terminated.
- 8.3 The member concerned shall be given a full and fair opportunity of presenting his case and if the Management Committee resolves to terminate his membership it shall instruct the secretary to advise the member in writing accordingly.
- 8.4 In Lieu of termination of membership, the Management Committee may, having regard to the seriousness of an offense against the rules or by-laws of the Association, impose a period of suspension of membership privileges for no less than one month, and no more than twelve calendar months.
- 8.5 During a period of suspension, a member may not attend any duly constituted meetings of the Association unless requested to do so in writing by the Management Committee;

## APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- 9.1 A person whose application for membership has been rejected or whose membership has been terminated, may within one month of receiving notification thereof, lodge with the secretary written notice of his intention to appeal against the decision of the Management Committee;
- 9.2 Upon receipt of a notification of intention to appeal against rejection or termination, the secretary shall convene, within three months of the date of receipt by him of such notice, a general meeting to determine the appeal.  
At any such meeting, the applicant shall be given the opportunity to fully present his case, and the Management Committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of the members present at such meeting.
- 9.3 Where a person, whose application is rejected, does not appeal against the decision of the Management Committee within the time prescribed by these rules or so appeals but the appeal is unsuccessful, the secretary shall forthwith refund the amount of any membership fee paid.

## REGISTER OF MEMBERS

- 10.1 The Management Committee shall cause a register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the Association and the dates of their admission;
- 10.2 Particulars shall also be entered into the register of deaths, resignations, termination, and reinstatement of membership and any further particulars as the Management Committee or members at any general meeting may require from time to time ;
- 10.3 The register shall be open for inspection at all reasonable times by any member, who previously applies to the secretary for such inspection,

## MEMBERSHIP OF THE MANAGEMENT COMMITTEE

- 11.1 The Management Committee of the Association shall consist of a President, Vice-President, Secretary, Treasurer, 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. The term of office of the management committee shall be 2 years on a rotational basis (President & Secretary on the same year and Vice President and Treasurer on the other).
- 11.2 At the Annual General meeting of the Association, the members of the Management Committee up for reelection shall retire from office, but, shall be eligible upon nomination for re-election.
- 11.3 The election of officers and other members of the Management Committee shall take place in the following manner:

- (a) 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.
  - (b) The nomination, which shall be in writing and signed by the member and his proposer and second, shall be lodged with the secretary at least fourteen days before the Annual General Meeting at which the election is to take place.
  - (c) A list of candidate's names in alphabetical order, with the proposer's and second's names, shall be placed in a conspicuous place in the office or usual place of meeting of the Association for at least seven days immediately preceding the Annual General Meeting .
  - (d) Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
  - (e) Should, at the commencement of such meeting, there be insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.
- 12 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, or such member may be removed from office at a general meeting of the Association where the that member shall be given the opportunity to fully present his case. The question of removal shall be determined by the vote of the members present at such a general meeting.

### VACANCIES ON THE COMMITTEE

- 13.1 The Management Committee shall have the power at any time to appoint any member of the Association to fill any casual vacancy on the Management Committee until the next Annual General Meeting.
- 13.2 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 of 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 for no other purpose.

### FUNCTIONS OF THE MANAGEMENT COMMITTEE

- 14.1 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 -
- (a) Shall have general control and management of the administration of the affairs, property and funds of the Association; and
  - (b) Shall have authority to interpret the meaning of these rules and any matter relating to the Association on which these rules are silent.
- 14.2 The Management Committee may exercise all the powers of the Association: -
- (a) To borrow and 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 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 such securities;
  - (b) To borrow money from members at the rate of interest not exceeding interest at the rate for the time being charged by the bankers in Brisbane for overdrawn accounts on money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability, or obligation of the Association, and to provide and to pay off such securities; and
  - (c) To invest in such manner as the members of the Association may from time to time determine.

### MEETINGS OF THE MANAGEMENT COMMITTEE

#### **15.1 The Management Committee shall meet at least four times each calendar year to exercise its functions.**

- 15.2 A special monthly meeting of the Management Committee shall be convened by the secretary on 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 is being convened and the nature of business to be transacted thereat.
- 15.3 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 meetings of the members, shall constitute a quorum.
- 15.4 Subject as previously provided in this rule, the Management Committee may meet together and regulate its proceedings as it thinks fit: Providing that the questions arising at any meeting of the Management Committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be decided in the negative.
- 15.5 A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Association in which he is interested, or in any matter arising thereat, and if he does so vote, his vote shall not be counted.
- 15.6 Not less than fourteen days notice shall be given by the secretary to the members of the Management Committee of any Special Meeting of the Management Committee. Such notice shall clearly state the nature of business to be discussed thereat.
- 15.7 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 is not present within ten minutes after the time appointed for holding the meeting, the Vice-President shall be Chairman, or if the Vice-President is not present at the meeting, than the members may choose one of their numbers to be Chairman of the meeting.
- 15.8 If within half an hour from the time appointed for the commencement of a Management 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 the same day in the next week at the same place, or to such other day or at such other time and place as the Management Committee may determine, and if at the adjourn meeting a quorum is not present within half an hour from the appointed for the meeting, the meeting will lapse.
- 16.1 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 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.
- 16.2 A sub-committee may elect a Chairman of its meetings. If no such Chairman is elected, or if at any meeting the Chairman is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their numbers to be Chairman of the meeting.
- 16.3 A sub-committee may meet and adjourned 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 decided in the negative.
17. All acts done by any meeting of the Management Committee or of a sub-committee 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.
18. 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 resolutions may consist of several documents in like form, each signed by one or members of the Management Committee.

### **ANNUAL GENERAL OR GENERAL MEETINGS**

19. 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.
- 20.1 The Annual General Meeting shall be held within three months of the close of the financial year.
- 20.2 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 preceding financial year.
  - (b) The receiving of the Auditor's report upon the books and accounts for the preceding financial year.
  - (c) The election of members of the Management Committee,
  - (d) The appointment of an auditor.
21. The secretary shall convene a special general meeting:
- (a) When directed to do so by the Management Committee, or
  - (b) On the requisition in writing signed by no 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 members presently on the Management Committee plus one. Such a 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 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 of any person.
- 22.1 At any general meeting, the number of members required to constitute a quorum shall be double the number of members presently on the Management Committee plus one.
- 22.2 No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting precedes to business. For the purpose of this rule, "Member" includes a person attending as a proxy or as representing a corporation which is a member.
- 22.3 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 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
- 22.4 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 other business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, Notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or the business to be transacted at an adjourned meeting.
- 23.1 The secretary shall convene all general meetings of the Association by giving not less than 14 days notice of any such meeting to the members of the Association.
- 23.2 The manner by which such notice shall be given shall be determined by the Management Committee: Provided the at the notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his membership by the Management Committee, shall be given in writing. Notice of a general meeting shall clearly state the nature of business to be discussed thereat.
- 24.1 Unless otherwise provided by these rules, at every general meeting:
- (a) The President shall preside as Chairman, or if there is no President, or he is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice-President shall be Chairman, or if the Vice-President is not present, or is unwilling to act, the members shall elect one of their number to be a Chairman of the meeting;
  - (b) The Chairman shall maintain an order and conduct the meeting in a proper and orderly manner;
  - (c) Every question, matter or resolution shall be decided by a majority of votes of the members present
  - (d) Every member present shall be entitled to one vote and in the case of an equality of votes; the Chairman shall have a second or casting vote: Provided that no member shall be entitled to vote at any general meeting if his annual Subscription is more than one month in arrears at the date of the meeting
  - (e) Voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot. The Chairman shall appoint two members to conduct the secret ballot in such manner as he shall determine, and the result of the ballot as declared by the Chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded
  - (f) A member may vote in person or by proxy or by attorney and on a show of hands every person present who is a member or a

representative of a member shall have one vote and in a secret ballot every member present in person or by proxy or by attorney or other duly authorized 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 appointee or his attorney duly authorized in writing or, if the appointee is a corporation, either under seal or under the hand of an officer or attorney duly authorized. 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 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:

BRISBANE AND DISTRICTS EIGHTBALL ASSOCIATION (INCORPORATED)

I, \_\_\_\_\_ of \_\_\_\_\_, being a member of the above named Association, hereby appoint, or failing him, \_\_\_\_\_ 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 favor of / against) the resolution

\* Strike out whichever is not desired (unless otherwise instructed, the proxy may vote as he 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
- (j) The secretary shall cause full and accurate minute 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 purpose of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee shall be signed by the Chairman of that meeting or the Chairman of the next succeeding general meeting: Provided that the minutes of any Annual General meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding general meeting or annual general meeting.

**BY-LAWS**

- 25. The Management Committee may from time to time make, Amend, or appeal by-laws, not inconsistent with these Rules, for the internal management of the Association and any by-law may be set aside by a general meeting of the members.

**ALTERATION OF THE RULES**

- 26. Subject to the provisions of the Associations Incorporated Act of 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, or addition shall be valid unless the same shall have previously submitted to and approved by the Under Secretary, Department of Justice, Brisbane.

**COMMON SEAL**

- 27. The Management Committee shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by 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 for the purpose.

**FUNDS AND ACCOUNTS**

- 28.1 The funds of the Association shall be banked in the name of the Association in such bank as the Management Committee may from time to time direct.
- 28.2 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 like nature.
- 28.3 All of the monies shall be banked as soon as practicable after the receipt thereof.

**28.4 All amounts of fifty dollars or over shall be paid by cheque signed by any two of the President, Secretary, Treasurer or other member authorized from time to time by the Management Committee, with the exception of prizes awarded in the furtherance of our objects.**

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

28.6 The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system.

28.7 All expenditure shall be approved or ratified at a Management Committee meeting.

28.8 As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing particulars of

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

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

28.9 All such statements shall be examined by the auditor who shall present his report upon such audit to the secretary prior to the holding of the Annual General Meeting next following financial year in respect of which such audit was made.

28.10 The income and property of the Association whencesoever's derived shall be used and applied solely in the promotion of its objectives 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 among the members of the Association providing that nothing herein contained shall prevent payment of good faith of interest to any such member in respect of monies advanced by him to the Association or otherwise owing by the Association to him or of remuneration to any officers or servants of the Association or to any member of the Association or other persons in return for any services actually 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.

### DOCUMENTS

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

### FINANCIAL YEAR

**30. The financial year of the Association shall close on the 15 # December in each year.**

### DISTRIBUTION OF SURPLUS ASSETS

31. 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 amongst 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, such institution or institutions to be determined by the members of the Association.