

THE RULES OF
KOTARA SOUTH JUNIOR SOCCER CLUB INC
PART 1 – PRELIMINARY

1 Interpretation

(1) In these rules, except in so far as the context or subject-matter otherwise indicates or requires: -

“associate member” means a person who has an interest in the game of soccer football and in the affairs of the Club but who is unavailable or unable to play soccer for the club and who is admitted as a member of the Club, but who is not a parent or guardian of a junior player member.

“administration regulations” means the administrative regulations of the Club for the time being in force;

“club” means the club named “Kotara South Junior Soccer Club Inc.” Incorporated under the Act;

“elected position” means any position or office in the Club other than that of an office-bearer or of an ordinary member of the Committee

“former association” means Kotara South Football Club – Junior Club

“junior player member” means a person who registers to play soccer football with the Club, who is under the age of 18 years, and who is admitted to membership of the Club and pays the entrance fee and annual subscription referred to in Rule 8(1) and Rule 8(2) respectively.

“ordinary member” means a member of the Committee who is not an office-bearer of the Club, as referred to in Rule 14 (2)

“rules” means the rules of the Club for the time being in force.

“secretary” means –

- (a) The person holding office under these rules as secretary of the Club; or
- (b) Where no such person holds that office – the public officer of the Club.

“special general meeting” means a general meeting of the club other than an annual general meeting;

“Parent member” means a person who is a parent or a guardian of a Junior Player Member.

“the Act” means the Associations Incorporation Act, 1984;

“the Regulation” means the Associations Incorporation Regulation 1985;

“full member” means a member of the association who is entitled under these Rules;

- (a) To receive notice of, and
 - (b) To attend, and
 - (c) To vote at
a meeting of the Association
- (2) In these rules –
- (a) reference to a function includes a reference to a power, authority and duty; and
 - (b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of that duty.
- (3) The provisions of the Interpretation Act, 1987, apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

PART II – MEMBERSHIP

2 Membership Qualifications

A person is qualified to be a member of the Club if, but only if –

- (a) The person is a person referred to in Section 15(1) (a), (b) or (c) of the Act and has not ceased to be a member of the Club at any time after incorporation of the Club under the Act; or
- (b) The person is a natural person who –
 - i. Has been nominated for membership of the Club as provided by Rule 3; and
 - ii. Has been approved for membership of the Club by the committee of the Club
- (c) Both parents of a Junior Player Member, and if there is more than one guardian of a Junior Player Member, or guardians of a Junior Player Member shall be eligible to become a Parent Member in respect to a Junior Player Member.

3 Nomination for membership

- (1) A nomination of a person for membership of the Club –
 - (a) Shall be made by a member of the Club in writing in the such form as is prescribed by the Committee; and
 - (b) Shall be lodged with the secretary of the Club
- (2) As soon as practicable after receiving a nomination for membership, the secretary shall refer the nomination to the committee which shall determine whether to approve or to reject the nomination.
- (3) Where the committee determines to approve a nomination for membership, the secretary shall, as soon as practicable after that determination, notify the nominee of that approval and request the nominee to pay within the period of 28 days after receipt by the nominee of the notification the sum payable under these rules as entrance fee and annual subscription for the nominee’s type of Membership.

- (4) The secretary shall, on payment by the nominee of the amounts referred to in clause (3) within the period referred to in that clause, enter the nominee's name in the register of members, and upon the name being so entered, the nominee becomes a member of the Club.

4 Cessation of membership

A person ceases to be a member of the Club if the person –

- (a) dies;
- (b) resigns that membership;
- (c) is expelled from the Club; or
- (d) transfers to another soccer club; or
- (e) if a Junior Player Member fails by the 30th day of June in each year; to pay the fees referred to in Rule 8(2)

5 Membership entitlements not transferable

A right privilege or obligation which a person has by reason of being a member of the Club –

- (a) is not capable of being transferred or transmitted to another person; and
- (b) terminates upon cessation of the person's membership.

6 Resignation of membership

- (1) A member of the Club is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the Club who has paid all amounts payable by the member to the Club in respect of the member's membership may resign from membership of the Club by first giving notice (being not less than 1 month or not less than such other period as the committee may determine) in writing to the secretary of the member's intention to resign and , upon the expiration of the period of notice the member ceases to be a member.
- (3) Where a member of the Club ceases to be a member pursuant to clause (2), and in every other case where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7 Resignation of membership

- (1) The public officer of the Club shall establish and maintain a register of members of the Club specifying the name and address of each person who is a member of the Club together with the date on which the person became a member and the date upon which the person was born.
- (2) The register of members shall be kept at the principal place of administration of the Club and shall be open for inspection, free of charge, by any member of the Club at any reasonable hour.

8 Fees, subscriptions etc

- (1) Subject to sub-clause (3) hereof a member of the Club shall, upon admission to membership, pay to the Club such fee as is determined by the committee from time to time.
- (2) Subject to sub-clause (3) hereof in addition to any amount payable by the member under clause (1), a member of the Club shall pay to the Club an annual membership fee as determined by the committee (1) except as provided by paragraph (2), before 1st May in each calendar year; or
- (3) Associate member and parent members shall not be required to pay any fees under sub-clause (1) and sub-clause (2)

9 Member's liabilities

The liability of a member of the Club to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club as required by Rule 8.

10 Disciplining of members

- (1) Where the committee is of the opinion that a member of the Club –
 - (a) has persistently refused or neglected to comply with a provision or provisions of these rules or the administrative regulations made under Rule 33; or
 - (b) has persistently or wilfully acted in a manner prejudicial to the interests of the Club, the committee may, by resolution:
 - i. expel the member from the Club; or
 - ii. suspend the member from membership of the Club for a specified period;
 - iii. suspend the member from playing for the Club for a specified period.
- (4) A resolution of the committee under Clause (1) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under Clause (3) confirms, the resolution in accordance with this rule.
- (5) Where the committee passes a resolution under clause (1), the secretary shall, as soon as practicable, cause a notice in writing to be served on the member –
 - (a) Setting out the resolution of the committee and the grounds on which it is based;
 - (b) Stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
 - (c) Stating the date, place and time of that meeting; and
 - (d) Informing the member that the member may do either or both of the following:-
 - i. Attend and speak at that meeting;

- ii. Submit to the committee at or prior to the date of that meeting written representations relating to the resolution.
- (6) At a meeting of the committee held as referred to in Clause (3), the committee shall:
- (a) Give to the member an opportunity to make oral representations;
 - (b) Give due consideration to any written representations submitted to the committee by the member at or prior to the meeting; and
 - (c) By resolution determine whether to confirm or to revoke the resolution.
- (7) Where the committee confirms a resolution under Clause (4), the secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under rule 11.
- (8) A resolution confirmed by the committee under Clause (4) does not take effect –
- (a) Until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
 - (b) Where within that period the member exercises the right of appeal, unless and until the Club confirms the resolution pursuant to Rule 11(4)

11 Right of appeal of disciplined member

- (1) A member may appeal to the Club in general meeting against a resolution of the committee which is confirmed under Rule 10(4), within 7 days after notice of resolution is served on the member, by lodging with secretary a notice to that effect.
- (2) Upon receipt of a notice from a member under clause (1), the secretary shall notify the committee which shall convene a general meeting of the Club to be held within 21 days after the date on which the secretary received the notice.
- (3) At a general meeting of the Club convened under clause (2) –
 - (a) no business other than the question of the appeal shall be transacted;
 - (b) the committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (4) If at the general meeting the Club passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

*SEE BY-LAWS

PART III – THE COMMITTEE

13 Powers, etc of the Committee

The Committee shall be called the committee of management of the Club and, subject to the Act, the Regulation and these rules and to any resolution passed by the Club in general meeting –

- (a) Shall control and manage the affairs of the Club
- (b) May exercise all such functions as may be exercised by the Club other than those functions that are required by these rules to be exercised by a general meeting of members of the Club;
- (c) May make such administration regulations not inconsistent with these Rules as in the opinion of the Committee are necessary or desirable for the proper control, administration and management of the Club's finances, affairs interests, property and activities including, without limiting the generality thereof the specification of the powers, duties and responsibilities of elected positions, selection policies, practice, the use of Club grounds, gear and facilities and may amend and rescind from time to time any such administration regulation; and
- (d) Has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Club, including but without limiting the generality thereof the appointment of persons to elected positions.

14 Constitution and membership

- (1) Subject in the case of the first members of the committee to Section 21 of the Act, the Committee shall consist of the office-bearers of the Club and such member (if any) or ordinary member as may be determined from year to year by the committee each of whom shall be elected at the Annual General Meeting of the Club pursuant to Rule 15
- (2) Only parent members, and associate members are eligible to be members of the Committee.
- (3) The office-bearers of the Club shall be-
 - (a) the president/fixtures officer
 - (b) senior vice-president/fixtures officer
 - (c) junior vice-president/registrars;
 - (d) the treasurer;
 - (e) the secretary.
- (4) Each member of the Committee shall, subject to these rules, hold office until the conclusion of the annual general meeting following the date of the member's election but is eligible for re-election.
- (5) In the event of a casual vacancy occurring in the membership of the committee or of an elected position, the committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office or the elected position, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

- (6) There shall be an Executive Committee which shall consist of the President, Secretary and Treasurer and the Executive Committee shall have the power to make urgent decisions for the Club and shall report to the next meeting of the Committee.

15 Election of members

- (1) Nominations of candidates for election as office-bearers of the Club or as ordinary members of the committee –
 - (a) Shall be made in writing, signed by 2 members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination);
 - (b) Shall be delivered to the secretary of the Club not less than 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- (6) The ballot for the election of office-bearers and ordinary members of the committee shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

16 Secretary

- (1) The secretary of the Club shall, as soon as practicable after being appointed as secretary, lodge notice with the Club of his or her address.
- (2) 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; and
 - (c) All proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

17 Treasurer

It is the duty of the treasurer of the Club to ensure that:

- (a) All money due to the Club is collected and received and that all payments authorised by the Club are made;
- (b) Correct books and accounts are kept showing the financial affairs of the Club including full detail of all receipts and expenditure connected with the activities of the Club.

18 Casual Vacancies

For the purposes of these rules, a casual vacancy in the office of a member of the committee or in an elected position occurs if the member or person-

- (a) Dies;
- (b) Ceases to be a member of the Club
- (c) Becomes and insolvent under administration within the meaning of the Companies (New South Wales) Code;
- (d) Resigns office or the elected position by notice in writing given to the secretary;
- (e) In the case of a member of the Committee is removed from office under Rule 19 or in the case of an elected position is removed by the Committee;
- (f) Becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
- (g) Is absent without the consent of the committee from all meetings of the committee held during a period of 3 months or in the case of the holder of an elected position fails to perform the duties of the position to the reasonable satisfaction of the Committee.

19 Removal of a Member

- (1) The Club in general meeting may by resolution remove any member of the Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) Where a member of the Committee to whom a proposed resolution referred to in Clause 1 relates makes representations in writing to the secretary or the president (not exceeding a reasonable length) and requests that the representations be notified to the members of the Club, the secretary or the president may send a copy of the representations to each member of the Club or, if they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

20. Meetings and Quorum

- (1) The committee shall meet at least nine times in each period of twelve months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or the secretary or three members of the committee.
- (3) Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the committee) before the time appointed for the holding of the meeting.

- (4) One half of the number of members of the Committee plus one shall constitute a quorum for the transaction of the business of a meeting of the committee.
- (5) No business shall be transacted by the committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- (6) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
- (7) At a meeting of the committee-
 - (a) The president or, in the president's absence, the vice president shall preside; or
 - (b) If the president and the vice president are absent or unwilling to act such one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.

21 Delegation by committee to sub-committee

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such members of the committee or other members of the Club as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument other than –
 - (a) This power of delegation; and
 - (b) A function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A quorum for meeting of a sub-committee shall be one half of its members plus one.
- (8) A sub-committee may meet and adjourn as it thinks proper.

22 Voting and decisions

- (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee shall be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question the person presiding may exercise a second or casting vote.
- (3) Subject to Rule 20(4), the committee may act notwithstanding any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

PART IV GENERAL MEETINGS

23 Annual General Meetings – holding of

- (1) With the exception of the first annual general meeting of the Club, the Club shall, at least once in each calendar year and within the period 6 months after the expiration of each financial year of the Club, convene an annual general meeting of its members.
- (2) The Club shall hold its first annual general meeting –
 - (a) Within the period of 18 months after its incorporation under the Act; and
 - (b) Within the period of 2 months after the expiration of the first financial year of the Club.
- (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Commissions under Section 26(3) of the Act.

24 Annual General Meetings –calling of and business at

- (1) The annual general meeting of the Club shall, subject to the Act and to Rule 23, be convened on such date and at such place and time as the committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be:
 - (a) To confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
 - (b) To receive from the committee reports upon the activities of the Club during the last preceding financial year;
 - (c) To elect office-bearers of the Club and ordinary members of the committee;
 - (d) To elect: Patrons (if any);

- (e) To receive and consider the statement which is required to be submitted to members pursuant to Section 26(6) of the Act;
 - (f) To determine whether honorariums will be paid during the ensuing year and, if so the amount thereof.
- (3) An Annual General Meeting shall be specified as such in the Notice convening it.

25 Special general meetings – calling of

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the Club.
- (2) The committee shall, on the requisition in writing of not less than 5 per cent of the total number full members, convene a special general meeting of the Club.
- (3) A requisition of members for a special general meeting –
- (a) Shall state the purpose or purposes of the meeting;
 - (b) Shall be signed by the members making the requisition;
 - (c) Shall be lodged with the secretary; and
 - (d) May consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in clause (4) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who thereby incurs expense is entitled to be reimbursed by the Club for any expense so incurred

26 Notice

- (1) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be served on each full member by either method described in Rule 41(1), a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be served on each full member in the manner provided in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to Rule 24(2).

- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

27 Procedure

- (1) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Five per cent of full members constitute a quorum for the transaction of the business of the general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 8) shall constitute a quorum.

28 Presiding member

- (1) The president or, in the president's absence, a vice-president, shall preside as chairperson at each general meeting of the Club.
- (2) If the president and both vice-presidents are absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

29 Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a general meeting is adjourned for 14 days or more, the secretary shall give written or oral notice of the adjourned meeting to each full member of the Club stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in Clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

30 Making of Decisions

- (1) A question arising at a general meeting of the Club shall be determined on a show of hands, and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried

unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

- (2) At a general meeting of the Club, a poll may be demanded by the chairperson or by not less than 3 members present in person at the meeting.
- (3) Where the poll is demanded at a general meeting the poll shall be taken –
 - (a) Immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
 - (b) In any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution to the meeting on that matter.

31 Special resolution

A resolution of the Club is a special resolution if –

- (a) It is passed by a majority which comprises not less than three-quarters of such members of the Club as, being entitled under these rules so to do, vote in person at a general meeting of which not less than 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or
- (b) Where it is made to appear to the commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) the resolution is passed in a manner specified by the Commission.

32 Voting

- (1) Only parent members and associate members are eligible to vote at a general meeting of the Club.
- (2) Upon any question arising at a general meeting of the Club an eligible member has one vote only.
- (3) Notwithstanding Rule 32(2) Parent Members are entitled to one (1) vote only per family irrespective of the number of Junior Player Members within that family.
- (4) All votes shall be given personally.
- (5) A person shall not:
 - (a) Attend or vote at any meeting of the Club: or
 - (b) Vote at any election of, or of a member of the committee as the proxy of another person.
- (6) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

- (7) A member is not entitled to vote at any general meeting of the Club unless all money due and payable by the member to the Club has been paid, other than the amount of the annual subscription payable in respect of the then current year.

33 Administrative Regulations

The Administrative Regulations made by the Committee pursuant to Rule 13(c) shall have the same force and effect as these Rules have by virtue of the Act **PROVIDED THAT** a Administrative Regulation is of no effect if it is inconsistent with the Act or these Rules or is contrary to law.

PART V – Miscellaneous

34 Insurance

- (1) The Club shall effect and maintain insurance pursuant to Section 44 of the Act.
- (2) In addition to the insurance required under clause (1) the Club may effect and maintain other insurance.

35 Funds-source

- (1) The funds of the Club shall be derived from entrance fees and annual subscriptions of members, donations and subject to any resolution passed by the Club in general meeting, such other sources as the committee determines,
- (2) All money received by the Club shall be deposited as soon as practicable and without deduction to the credit of the Club's bank account.
- (3) The Club shall, as soon as practicable after receiving any money, issue an appropriate receipt.

36 Funds-management

- (1) Subject to any resolution passed by the Club in general meeting, the funds of the Club shall be used in pursuance of the objects of the Club in such manner as the committee determines.
- (2) all cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two members of the committee, being members authorised to do so by the committee.

37 Alteration of objects and rules

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the Club. **PROVIDED THAT** the alteration, rescision or addition is approved in writing by the Kotara South Sports Club.

38 Common seal

- (1) The common seal of the Club shall be kept in the custody of the public officer.

- (2) The common seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the public officer or secretary.

39 Custody of books etc

Except as otherwise provided by these rules, the public officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Club.

40 Inspection of books etc

The records, books and other documents of the Club shall be open to inspection, free of charge, by a member of the Club at any reasonable hour.

41 Service of notices

- (1) For the purpose of these rules, a notice may be served by or on behalf of the Club upon any member either personally or by sending it by post to the member at the member's address shown in the register of members or by publication in the Club's newsletter if the Club publishes one.
- (2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

42 Surplus Property

- (1) At the first general meeting of the Club, the Club shall pass a special resolution nominating an Association as the association in which is to vest its surplus property pursuant to Section 53(2) of the Act in the event of the winding up or the cancellation of the incorporation of the Club.
- (2) The Association so nominated shall be one which fulfils the requirements specified in Section 53(2)(a)-(c) of the Act.

