

PART 1 — PRELIMINARY

1. Terms used

In these rules, unless the contrary intention appears —

Act means the *Associations Incorporation Act 2015*;

Association means the incorporated association to which these rules apply;

Books, of the Association, includes the following —

- (a) a register;
- (b) financial records, financial statements or financial reports, however compiled, recorded or stored;
- (c) a document;
- (d) any other record of information;

by laws means by-laws made by the Association under rule 64;

president means the Committee member holding office as the president of the Association;

Commissioner means the person for the time being designated as the Commissioner under section 153 of the Act;

committee means the management committee of the Association;

committee meeting means a meeting of the committee;

committee member means a member of the committee;

financial records includes —

- (a) invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
- (b) documents of prime entry; and
- (c) working papers and other documents needed to explain —
 - (i) the methods by which financial statements are prepared; and
 - (ii) adjustments to be made in preparing financial statements;

financial report, of a tier 2 association or a tier 3 association, has the meaning given in section 63 of the Act;

financial statements means the financial statements in relation to the Association required under Part 5 Division 3 of the Act;

financial year, of the Association, has the meaning given in rule 2;

general meeting, of the Association, means a meeting of the Association that all members are entitled to receive notice of and to attend;

Junior member means a member with the rights referred to in rule 8(3)

member, means a person (including a body corporate) who is an ordinary member, associate member, Honorary life members, or a social member of the Association;

ordinary committee member means a committee member who is not an office holder of the Association under rule 27(3);

ordinary member means a person over 18 years of age who has paid the prescribed subscription, with the rights referred to in rule 8

register of members means the register of members referred to in section 53 of the Act;

rules means these rules of the Association, as in force for the time being;

secretary means the committee member holding office as the secretary of the Association;

Social member means a member with no voting rights but access to clubhouse

special general meeting means a general meeting of the Association other than the annual general meeting;

special resolution means a resolution passed by the members at a general meeting in accordance with section 51 of the Act;

subcommittee means a subcommittee appointed by the committee under rule 48(1)(a);

tier 1 association means an incorporated association to which section 64(1) of the Act applies;

tier 2 association means an incorporated association to which section 64(2) of the Act applies;

tier 3 association means an incorporated association to which section 64(3) of the Act applies;

Temporary member means a day visitor with no rights

treasurer means the committee member holding office as the treasurer of the Association.

2. Financial year

- (1) The first financial year of the Association is to be the period notified to the Commissioner under section 7(4)(e) or, if relevant, section 29(5)(e) of the Act.
- (2) Each subsequent financial year of the Association is the period of 12 months commencing at the termination of the first financial year or the anniversary of that termination.

PART 3 — MEMBERS

Act Requirements - Membership - Under sections 4 and 17 of the Act an association must always have at least 6 members with full voting rights.

Act Requirements – Liabilities of the association - Under section 19 of the Act a member of the management committee, trustee or a member of the association is not liable in respect of the liabilities of the association. This does not apply to liabilities incurred by or on behalf of the association prior to incorporation.

Guidance Note – Liability of Members - A member is only liable for their own outstanding membership fees (if any) payable under rule 12.

Division 1 — Membership

4. Eligibility for membership

- (1) Any person who supports the objects or purposes of the Association is eligible to apply to become a member.
- (2) An individual who has not reached the age of 18 years is not eligible to apply for a class of membership that confers full voting rights.

Guidance Note – Eligibility for membership

- The by-laws may require members to hold specified educational, trade or professional qualifications.
- The association must comply with all legal and regulatory obligations that may apply to the association under any other law when assessing eligibility of an applicant for membership.

5. Applying for membership

- (1) A person who wants to become a member must apply in writing to the Association.
- (2) The Committee and/or any Sub Committee so appointed shall determine whether the application is successful or not. Applications denied membership shall be advised in writing.

6. Dealing with membership applications

- (1) The committee must consider each application for membership of the Association and decide whether to accept or reject the application.
- (2) Subject to subrule (3), the committee must consider applications in the order in which they are received by the Association.
- (3) The committee may delay its consideration of an application if the committee considers that any matter relating to the application needs to be clarified by the applicant or that the applicant needs to provide further information in support of the application.
- (4) The committee must not accept an application unless the applicant —
 - (a) is eligible under rule 4; and
 - (b) has applied under rule 5.
- (5) The committee may reject an application even if the applicant —
 - (a) is eligible under rule 4; and
 - (b) has applied under rule 5.

- (6) The committee must notify the applicant of the committee's decision to accept or reject the application as soon as practicable after making the decision.
- (7) If the committee rejects the application, the committee is not required to give the applicant its reasons for doing so.

7. Becoming a member

An applicant for membership of the Association becomes a member when —

- (a) the committee accepts the application; and
- (b) the applicant pays any membership fees payable to the Association under rule 12.

©Guidance Note – Becoming a member - *The applicant immediately becomes a member, when rule 7 has been fulfilled, and is entitled to exercise all the rights and privileges of membership, including the right to vote (if applicable), and must comply with all of the obligations of membership under these rules.*

Act requirement – Member to receive rules – *section 36(1)(b) of the Act provides that the association must give each person who become a member of the association of copy of the rules in force at the time their membership commences.*

Guidance note – Format of rules provided - *It is acceptable for the association to provide a copy of the rules to new members by electronic transmission or providing the details for the website whether the rules may be downloaded. A hard copy must be provided if the member requests that the rules be provided in that manner.*

8. Classes of membership

1. **Playing Member** – any person over the age of 18, wishing to play in organised competitions or any other organised playing activity shall become an Ordinary Playing Member of the Association and be entitled to hold any office and enjoy the privileges of the Association. Ordinary Playing Members shall pay a membership fee as set by the Committee, plus any other fees to cover playing activities as set by the Committee.
2. **Social Member** – any persons who are interested in supporting or promoting the Association, but who do not wish to participate in the playing activities of the Association, may become a Social Member and be entitled to hold any office and enjoy the privileges of the Association. Social Members shall pay a membership fee as set by the Committee.
3. **Junior Playing Member** - Any person under the age of 18 years wanting to play in organised competitions or any other organised playing activity may become a Junior Playing Member. Junior Playing Members shall pay fees as set out by the Committee, including the Association membership fee that will entitle one parent or guardian to be a Social Member. Junior Playing Members shall have no voting rights nor be entitled to hold any office.
4. **Parent Social Member** - every Junior Playing Member will pay the Association membership as part of their annual Association membership fees, which will entitle one parent or guardian to become a Parent Social Member. Parent Social Members will be entitled to hold any office and enjoy the privileges of the Association.
5. **Volunteer/Coach Member** - is any person coaching at the Association who is not an Ordinary Playing Member and shall be regarded as a fully paid up Social member.
6. **Life Member** – any member who has given outstanding service to the Association as voted at a general meeting. Life members do not pay membership fees and can apply for and hold any office within the Association.
7. **Temporary Member** - is a person who is on any day visiting the Association as a member or an official of another Association: that is to engage in a pre-arranged event with the host Association conducted for the purposes of one of the host Association's principal objects; or that is to hold a pre-arranged function at the host Association involving the use of the host

Association's sporting facilities may be taken to be a person who is accorded temporary membership on that day.

The Association may have any class of membership approved by resolution at a general meeting.

All Playing Members, Social Members, Parent Social Member, Volunteer/Coach Member and Life Member shall be considered ordinary members of the Association.

An ordinary member has full voting rights and any other rights conferred on members by these rules or approved by resolution at a general meeting or determined by the committee.

The number of members of any class is not limited unless otherwise approved by resolution at a general meeting.

The maximum number of guests per member per day for the purpose of s 48(4)(b) of the Liquor Control Act is two (2).

Guidance Note - Voting rights of Members

- *Each ordinary member of the Association has one vote at a general meeting of the Association.*
- *Each ordinary member of the Association that is a body corporate has one vote at a general meeting of the Association.*

9. When membership ceases

- (1) A person ceases to be a member when any of the following takes place —
 - (a) for a member who is an individual, the individual dies;
 - (b) for a member who is a body corporate, the body corporate is wound up;
 - (c) the person resigns from the Association under rule 10;
 - (d) the person is expelled from the Association under rule 15;
 - (e) the person ceases to be a member under rule 12(4).
- (2) The secretary must keep a record, for at least one year after a person ceases to be a member, of —
 - (a) the date on which the person ceased to be a member; and
 - (b) the reason why the person ceased to be a member.

10. Resignation

- (1) A member may resign from membership of the Association by giving written notice of the resignation to the secretary.
- (2) The resignation takes effect —
 - (a) when the secretary receives the notice; or
 - (b) if a later time is stated in the notice, at that later time.
- (3) A person who has resigned from membership of the Association remains liable for any fees that are owed to the Association (the **owed amount**) at the time of resignation.
- (4) The owed amount may be recovered by the Association in a court of competent jurisdiction as a debt due to the Association.

11. Rights not transferable

The rights of a member are not transferable and end when membership ceases.

Division 2 — Membership fees

12. Membership fees

- (1) The committee must determine the entrance fee (if any) and the annual membership fee (if any) to be paid for membership of the Association.
- (2) The fees determined under subrule (1) may be different for different classes of membership.
- (3) A member must pay the annual membership fee to the treasurer, or another person authorised by the committee to accept payments, by the date (the **due date**) determined by the committee.
- (4) If a Social Member has not paid the annual membership fee within the time period after the **due date** as specified by the Committee, the member ceases to be a member on the expiry of that period. Playing members and Junior Playing Members cease to be members of the Association on the expiry date of their annual registration. For avoidance of doubt a Parent Social Member ceases when the Junior Playing Member ceases unless they apply to become Social members and pay the appropriate fee.
- (5) If a person who has ceased to be a member under subrule (4) offers to pay the annual membership fee after the period referred to in that subrule has expired —
 - (a) the committee may, at its discretion, accept that payment; and
 - (b) if the payment is accepted, the person's membership is reinstated from the date the payment is accepted.
- (6) A defined annual, half yearly, quarterly or monthly subscription fee shall be payable in advance.

Division 3 — Register of members

13. Register of members

Act Requirements – Register of members

Section 53 of the Act requires an incorporated association to maintain a register of its members and record in the register any change in the membership of the association. Any change to the register must be recorded within 28 days after the change occurs.

Under section 53(2) of the Act the register of members must include each member's name and a residential, postal or email address.

Under section 54 of the Act a member is entitled to inspect the register free of charge. The member may make a copy of, or take an extract from, the register but has no right to remove the register for that purpose.

Under section 56 of the Act the management committee is authorised by to determine a reasonable charge for providing a copy of the register.

- (1) The secretary, or another person authorised by the committee, is responsible for the requirements imposed on the Association under section 53 of the Act to maintain the register of members and record in that register any change in the membership of the Association.
- (2) In addition to the matters referred to in section 53(2) of the Act, the register of members must include the class of membership (if applicable) to which each member belongs and the date on which each member becomes a member.
- (3) The Club shall keep an up to date register of members in respect of each class of membership. This register must be continually available for inspection at the club premises