MODEL RULES OF ASSOCIATION

FOR USE BY QUEENSLAND RACE CLUBS

GUIDANCE NOTE:

1. This document provides model rules that may be considered suitable for adoption by a race club seeking to update its rules of association (i.e. constitution). Please note, there is no requirement for clubs to update their rules, other to ensure that they are compliant with current legislation.
2. These rules are designed for race clubs that have been incorporated as associations in Queensland; they are not appropriate for use by race clubs incorporated as companies limited by guarantee.
3. These rules require the inclusion of certain information before they will be ready for use by a club. Each club should read this document (including this Guidance Note) in its entirety prior to adopting the model rules to ensure all terms are properly understood and amended in accordance with the club’s individual requirements. Any changes or additions to these rules must comply with the [*Associations Incorporation Act 1981*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-1981-074) (Qld) (“the Act”).
4. As per the *Club General Licence Conditions*, Racing Queensland is required to approve a club’s rules of association prior to the club seeking final approval of the rules by its members. A step-by-step guide to adopting or amending a club’s rules of association is available on the RQ Club Portal.
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KEY NOTES AND INCLUSIONS

***NB:*** *In these rules, the Club is referred to as ‘the Association’.*

NATURE OF THE ASSOCIATION (RULE 2)

Rule 2.1: Name

Club to insert the name of the Association, including Association Incorporation Number.

Rule 2.2: Objects of the Association

Club to insert the objects of the Association, including the relevant code of racing and locality.

Clubs may amend these objects if required, but as a minimum the objects of the Association should include the conduct and promotion of the relevant code of racing in the local government area.

Rule 2.4: Financial year

This Rule specifies that the Financial Year is the 12-month period ending on 30 June each year, which aligns with the current Australian Tax Office requirements. The Club may amend this date if desired.

MEMBERSHIP (RULE 3)

Rule 3.1: Minimum number of Members

To be eligible for incorporation under the Act, the Association must have a minimum of 7 Members. The Club may increase the minimum number of Members if desired, noting that this number should be kept to at least the number required to form a quorum under Rule 8.4.

Rule 3.2: Who is eligible to be a Member

This Rules specifies that the classes of membership of the Association are: (i) Ordinary Members; (ii) Honorary Life Members; and (iii) any other person or group of persons (whether incorporated or otherwise) which the Committee believes warrant membership from time to time. Clubs are encouraged to reach out to Racing Queensland or seek independent legal advice if they wish to consider including other classes of membership (e.g. organisation members).

Rule 3.5: Code of Conduct

This Rule makes specific reference to the Members’ Code of Conduct. Clubs are encouraged to have a Members’ Code of Conduct which sets appropriate standards of behaviour for its members (and their guests) and provides a point of reference upon which Clubs can rely in the event of misconduct.

CLASSES OF MEMBERSHIP (RULE 4)

Rule 4.1 Ordinary Member

This Rule specifies that Ordinary Members must be at least 18 years of age, that they have the right to receive notices and may attend and vote at General Meetings. The Club may amend these rights and requirements if desired (e.g. Club may amend age restriction).

Rule 4.2 Honorary Life Members

This Rule specifies that Honorary Life Memberships may be granted to persons who have rendered long and distinguished service to the Association. Honorary Life Members are not required to pay annual membership fees, have the right to receive notices and may attend and vote at any meeting of the Association. The Club may amend these rights and requirements if desired (e.g. Club may remove or restrict the voting rights of Honorary Life Members), or remove this class of membership altogether.

ADMISSION OF NEW MEMBERS (RULE 5)

Rule 5.1: Application for membership

The Rule sets out the process by which a person may apply for membership of the Association and the process for acceptance of a membership application. It should be noted that the Club may put in place different arrangements for the consideration and decision of a membership application, including by having the Committee determine each membership application received by the Club at its next Committee Meeting, or delegating that function to a Committee Member, subcommittee or staff under Rule 9.2.

CESSATION OF MEMBERSHIP (RULE 6)

This Rule specifies the conditions for when a membership ends, including the mechanism by which a Member may resign from the Association. The Club may review these and make changes as required.

Rule 6.2: Disciplinary action

This Rule provides the circumstances in which the Committee may take disciplinary action against a Member, and the process to be followed by the Committee when considering taking such disciplinary action. Clubs considering amending this Rule should ensure that any such amendments are made in accordance with the principles of natural justice, reaching out to Racing Queensland or seeking independent legal advice where required.

Rule 6.3: Immediate suspension

This Rule provides grounds for the Committee to immediately suspend a Member’s membership in extraordinary circumstances prior to the completion of a disciplinary procedure under Rule 6.2. An immediate suspension of a membership will operate until the matter is finally dealt with in accordance with Rule 6.2.

Rule 6.4: Appeal against suspension or termination of membership

This Rule provides that the appeal of a decision to suspend a person’s membership rights or terminate a membership must be made to the Secretary within 1 month of such decision. This Rule also sets out the way in which a Special General Meeting convened to consider a person’s appeal against suspension or termination of membership should be carried out to accord with principles of natural justice.

INTERNAL GRIEVANCE PROCEDURE (RULE 7)

An internal grievance procedure has been included to support law changes for incorporated associations. Incorporated associations that do not have an internal grievance procedure in place before **22 June 2022** will need to observe the grievance procedure set out in the model rules published by the Office of Fair Trading. Clubs considering amending these provisions are encouraged to reach out to Racing Queensland or seek independent legal advice to ensure they do so in accordance with the Act.

GENERAL MEETINGS (RULE 8)

Rule 8.1: Annual General Meetings

This Rule sets out the requirements around Annual General Meetings, including the requirement to give notice of the Annual General Meeting to Members and the ordinary business to be conducted at an Annual General Meeting.

Rule 8.2: Special General Meetings

This Rule stipulates when the Secretary must convene a Special General Meeting of the Association. It is important to note that all General Meetings of the Association, other than Annual General Meetings, are Special General Meetings. This Rule further sets out the specific requirements that must be satisfied by Members wishing to call a Special General Meeting of the Association.

Rule 8.6: Voting at General Meeting

Voting at a General Meeting is to be conducted by show of hands or, if at least one-fifth of the Members present and entitled to vote demand, secret ballot. This Rule also provides for the Chairperson of a General Meeting to have a second or deciding vote if votes are divided equally on a question. The Club may remove this power of the Chairperson if desired.

COMMITTEE (RULE 9)

Rule 9.1: Role and powers

The position set out in this Rule requires a President, Vice-President and Treasurer, and up to another 4 Committee Members. Each Committee Member, other than a person appointed by the Committee to fill a casual vacancy, must be a Member of the Association. The number of Committee Members is to be confirmed, noting that it is helpful to have an odd number on the Committee so as to minimise the occurrence of deadlock situations.

Rule 9.2: Delegation

By this Rule, the Committee may delegate some of its functions to a particular Committee Member, subcommittee or member of staff (e.g. the consideration of membership applications). The Club may amend this Rule to designate certain powers or functions that may not be delegated to a Committee Member, subcommittee or staff.

Rule 9.6: Secretary

This Rule specifies the requirements for a person to be appointed as Secretary, including that they must be at least 18 years old under the laws for incorporated associations. Rule 9.6(b) provides for the Secretary to be a Committee Member appointed to the role of Secretary by the Committee, or another person (whether a Member or otherwise) appointed to the role of Secretary as an employee or volunteer of the Club.

ELECTION AND RETIREMENT OF COMMITTEE MEMBERS (RULE 10)

Rule 10.1: Tenure of Committee Members

This Rule provides that a minimum of 3 positions on the Committee be declared vacant at each Annual General Meeting, with Committee Members who are required to retire being eligible for re-election. The positions to be declared vacant in each year are be determined by following the process set out in Rule 10.1(b). Clubs may amend these requirements as desired, but are encouraged to ensure that the mechanism employed allows for reasonable rejuvenation in the composition of the Committee.

Rule 10.2: Election of Committee Members

This Rule sets out the process by which a Committee Member may be elected. Importantly, in these Rules a person can only be elected to the Committee if they are a Member who is entitled to vote at the time nominations are called for in the relevant year, or if they are appointed to fill a casual vacancy in accordance with Rule 10.5.

Rule 10.3: Executive

Executive roles are limited to the President, Vice-President, Treasurer and Secretary (if the Secretary is a Committee Member). These are 12-month roles which must be appointed every year by the Committee Members at the first Committee Meeting after the Annual General Meeting or during an adjournment of the Annual General Meeting.

When appointing Executive roles, regard should be had for the maximum tenure allowed on the Executive (of 6 continuous years) as set out in Rule 10.3(d). This provision has been included to encourage succession planning with regard to key roles on the Committee. Whilst it may not be practical for Clubs with limited suitable candidates for Executive roles to retain this restriction, Clubs considering removing it are encouraged to explore alternative avenues to assist with succession planning on the Committee.

It should also be noted that whilst specific roles on the Executive may have particular powers and functions under these Rules and applicable legislation, the Executive as a subcommittee will not have any powers or functions except those that have been appropriately delegated to it under Rule 9.2.

Rule 10.4: Vacation of office

This Rule includes provisions for the vacation of the office of a Committee Member including requirements regarding eligibility following criminal convictions. Any amendments to this section should be made in accordance with the Act.

Rule 10.5: Filling casual vacancies

This Rule sets out the process for the Committee to fill a casual vacancy by the appointment of a suitable member. A person appointed to fill a casual vacancy must be at least 18 years of age and will hold office until the next Annual General Meeting of the Association. Clubs are encouraged to reach out to Racing Queensland to understand how this Rule can be utilised to appoint persons to assist the Committee by bringing a diversity of skills and viewpoints.

COMMITTEE MEETINGS (RULE 11)

Rule 11.5: Quorum

The quorum for a Committee Meeting is the presence (in person or as allowed under Rule 11.1(d)) of a majority of the Committee Members holding office. The quorum for a Committee Meeting may be amended to require that certain positions on the Committee must be present (e.g. President), or otherwise as the Club desires.

Rule 11.6(d): Voting

Unlike voting at General Meeting, if votes are divided equally on a question at a Committee Meeting the question shall be decided in the negative. Clubs may wish to amend this to give the Chairperson a second or casting vote if desired.

Rule 11.7: Conflict of interest

The law changes for incorporated associations require a Committee Member with a material personal matter being considered at a Committee Meeting to disclose that interest, and that Committee Member must not be present while the matter is being considered at the meeting or vote on the matter. Clubs may wish to include the opportunity for the other Committee Members to allow the Committee Member to remain while the matter is being considered or vote on the matter, but this must be drafted into the Club’s rules and is not recommended.

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RULES OF ASSOCIATION

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# DEFINITIONS AND INTERPRETATION

## Definitions

In these Rules, unless the context requires otherwise:

Absolute Majority of the Committee, means a majority of the Committee Members currently holding office and entitled to vote at the time (as distinct from a majority of Committee Members present at a Committee Meeting);

Actmeans the [*Associations Incorporation Act 1981*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-1981-074) (Qld);

Annual General Meeting means a meeting of the Members convened in accordance with Rule 8.1;

Chairperson, of a General Meeting or Committee Meeting, means the person presiding over the meeting as required under Rule 9.4;

Club Licence Conditions means the terms and conditions that apply to the Association’s licence issued by Racing Queensland under the [*Racing Act 2002*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2002-058)(Qld);

Committeemeans the committee of management of the Association;

Committee Meetingmeans a meeting of the Committee held in accordance with these Rules;

Committee Member means a member of the Committee elected or appointed under Rule 10;

Control Body means a body of persons which by convention or recognition or legislative enactment is or is deemed to be in control of thoroughbred racing, harness racing or greyhound racing, in any state, territory, country or region;

Financial Yearmeans the 12-month period specified in Rule 2.4;

General Meetingmeans a general meeting of the Members convened in accordance with Rule 8 and includes an Annual General Meeting and a Special General Meeting;

Honorary Life Member means a member in accordance with Rule 4.2 and Honorary Life Membership means the category of membership granted to that person;

Membermeans a Member (of any class or category) of the Association;

Member entitled to vote means a Member who under Rule 3.3(a) is entitled to vote at a General Meeting;

Members’ Code of Conductmeans the code that governs the conduct and behavioural standards of Members and their guests while at the Club, as amended by the Committee from time to time;

Ordinary Member means a member in accordance with Rule 4.1 and Ordinary Membership means the category of membership granted to that person;

Policiesmeans the policies and procedures of the Association adopted by the Committee (and made available to the Members) from time to time, including (without limitation) the Members’ Code of Conduct;

President means the person appointed under Rule 10.3 as President of the Association;

Queensland Racing Integrity Commission (QRIC) means the body of that name established under the [*Racing Integrity Act 2016*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-012)(Qld), or such other body responsible for carrying out their functions from time to time;

Racing Queensland means the Racing Queensland Board (trading as Racing Queensland), established under the [*Racing Act 2002*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2002-058) (Qld).

Register Of Members means the register of Members kept and maintained by the Secretary in accordance with Rule 5.3;

Registrarmeans the Registrar of Incorporated Associations under the Act;

Rules means these Rules of Association, including any schedules and any annexures;

Rules of Racingmeans the rules of racing as made in accordance with section 112 of the [*Racing Act 2002*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2002-058)(Qld) from time to time;

Secretary means:

* + 1. the person appointed under Rule 9.6 as secretary of the Association; or
    2. in any other case, the public officer of the Association.

Special General Meeting means a meeting of the Members convened in accordance with Rule 8.2;

Special Resolutionmeans a resolution that requires at least three-quarters of the Members present and voting at a General Meeting, whether present in person or by proxy, to vote in favour of the resolution;

Treasurer means the person appointed under Rule 10.3 as Treasurer of the Association; and

Vice-President means the person appointed under Rule 10.3 as Vice-President of the Association.

## Interpretation

In these Rules, unless the context requires otherwise:

### the singular includes the plural and vice versa;

### a gender includes the other genders;

### the headings are used for convenience only and do not affect the interpretation of these Rules;

### other grammatical forms of defined words or expressions have corresponding meanings;

### a reference to a document includes the document as modified from time to time and any document replacing it;

### the word “person” includes a natural person, partnership, body corporate, association, governmental or local authority, agency and any other body or entity whether incorporated or not;

### a reference to all or any part of a statute, rule, regulation or ordinance (“statute”) includes that statute as amended, consolidated, re‑enacted or replaced from time to time;

### a reference to time is to Queensland, Australia time; and

### a reference to any agency or body, if that agency or body ceases to exist or is reconstituted, renamed or replaced or has its powers or functions removed (“defunct body”), means the agency or body that performs most closely the functions of the defunct body.

# NATURE OF THE ASSOCIATION

## Name

The name of the incorporated association is “\_” (the “Association”).

## Objects of the Association

The objects for which the Association is established are to:

* + 1. conduct, promote and develop “\_” racing and other ancillary activities in and around the area of “\_”;
    2. hold race meetings and other ancillary activities for the recreation and enjoyment of Members and the general public interested in or concerned with “\_” racing;
    3. to apply the profits, if any, and other income of the Association to the promotion of the objects of the Association including the provision of suitable facilities for the conduct of race meetings and other ancillary activities; and
    4. do all things incidental to assisting in achieving the objects of the Association.

## Powers

* + 1. The Association has the powers of an individual and may do all things incidental or conducive to achieving its objects and purposes as set out in Rule 2.2.
    2. The Association may, for example:

#### enter into contracts;

#### acquire, hold, deal with and dispose of property;

#### make charges for services and facilities it supplies; and

#### do other things necessary or convenient to be done in carrying out its affairs.

* + 1. The Association may also issue secured and unsecured notes, debentures and debenture stock for the Association.

## Financial year

The Financial Year of the Association is each period of 12 months ending on the 30th day of June.

## Not for profit organisation

### The Association must not distribute any surplus, income or assets directly or indirectly to its Members.

### Rule 2.5(a) does not prevent the Association from paying a Member:

#### reimbursement for expenses properly incurred by the Member;

#### for goods or services provided by the Member; or

#### other amounts permitted by Chapter 3, Part 5 of the [*Racing Act 2002*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2002-058) (Qld),

provided this is done in good faith on terms no more favourable than if the Member was not a Member.

# MEMBERSHIP

## Minimum number of Members

The Association must have at least seven (7) Members.

## Who is eligible to be a Member

### The Association may admit the following as Members:

#### Ordinary Members;

#### Honorary Life Members; and

#### any other person or group of persons (whether incorporated or otherwise) which the Committee believes warrant membership from time to time.

### A person will be eligible for membership if:

#### they satisfy all requirements for the respective category of membership they apply for;

#### they are not currently disqualified by a Control Body for a code of racing in any jurisdiction; and

#### they have not previously been a Member of the Association and had their membership terminated as a result of disciplinary action taken by the Committee (unless the Committee has resolved at a Committee Meeting that the person may be re-eligible for membership).

## General rights of Members

### A Member is entitled to vote if:

#### the class of membership to which they belong has voting rights;

#### the Member has no annual membership fees or other fees in arrears; and

#### the Member’s membership rights are not suspended for any reason.

### A Member who is entitled to vote has the right:

#### to receive notice of General Meetings and of proposed Special Resolutions in the manner and time prescribed by these Rules;

#### to submit items of business for consideration at a General Meeting;

#### to attend and be heard at General Meetings;

#### to vote at a General Meeting;

#### to have access to the minutes of General Meetings and other documents of the Association as provided under Rule 9.6(f)(v); and

#### subject to Rule 5.3(d), to inspect the Register of Members.

## Rights not transferable

A right, privilege or obligation of a person by reason of membership of the Association:

### is not capable of being transferred or transmitted to another person; and

### terminates upon the cessation of membership of the Association.

## Members’ Code of Conduct

Each Member must ensure that they comply with the Members’ Code of Conduct as adopted by the Committee from time to time and conduct themselves in a manner that promotes the objects and purpose of the Association.

# CLASSES OF MEMBERSHIP

## Ordinary Member

### The number of Ordinary Members is unlimited.

### An Ordinary Member:

#### must be at least 18 years of age; and

#### has a right to:

##### receive notices from the Association; and

##### attend and vote at General Meetings of the Association (subject to Rule 3.3).

## Honorary Life Members

### The number of Honorary Life Members is unlimited.

### The Committee may recommend that any person who has, in its opinion, rendered long and distinguished service to the Association (or any present or past Member of the Association) be granted the title of ‘Honorary Life Member’.

### The Association may, in a General Meeting, grant Honorary Life Membership to any such person upon receiving the relevant recommendation from the Committee.

### An Honorary Life Member:

#### is exempt from paying any annual membership fee;

#### is entitled to receive notices from the Association; and

#### is entitled to vote at any meeting of the Association.

## Other classes

The Committee may from time to time divide the membership of the Association into different classes of membership and determine the rights and obligations attaching to each class of membership by resolution of the Committee.

# ADMISSION OF NEW MEMBERS

## Application for membership

### Applications for membership must be made in writing in a form to be approved by the Committee for that purpose and must be signed by the applicant.

### Every applicant for membership must confirm in their application that they:

#### wish to become a Member of the Association;

#### support the objects and purposes of the Association; and

#### agree to comply with these Rules and any Policies put in place by the Committee from time to time.

### The Committee must ensure that, as soon as possible after a person applies to become a Member of the Association, the person is advised:

#### whether or not the Association has public liability insurance; and

### if the Association has public liability insurance, the amount of the insurance.

### An application for membership will be valid upon receipt by the Secretary of:

#### the completed application form;

#### payment of the joining fee (if any); and

#### payment of the annual membership fee for that Financial Year.

### The Secretary must, as soon as practicable after receipt of a valid application in accordance with subrule (d), consider whether the applicant is eligible for membership and, if eligible, enter the name and address of the applicant in the Register of Members.

### An applicant will become a Member of the Association on the date they are entered in the Register of Members.

### If a membership application is rejected on the basis that the applicant is not eligible for membership under Rule 3.2(b), the Secretary must write to the applicant as soon as possible to notify them that their application has been rejected, providing the basis for the rejection.

### There will be no right of appeal against the rejection of a membership application in accordance with this Rule.

## Membership fees

### From time to time, the Committee may determine:

#### the joining fee (if any) payable by Members on application for membership;

#### the amount of the annual membership fee for the following Financial Year for each class of membership (other than Honorary Life Membership); and

#### the date for payment of the annual membership fee.

### The Committee may determine that any new Member who joins after the start of a Financial Year must, for that Financial Year, pay a fee equal to:

#### the full annual membership fee;

#### a pro rata membership fee based on the remaining part of the Financial Year; or

#### a fixed amount determined from time to time by the Committee.

## Register of Members

### The Secretary must keep and maintain a register of Members (“Register of Members”) that includes:

#### for each current Member:

##### the Member’s full name; and

##### the postal or residential address for notice last given by the Member; and

##### the Member’s email address; and

##### the date of becoming a Member; and

#### for each former Member:

##### the date of death or date of resignation of the Member; or

##### the date of any termination of the membership and brief details about the termination or reinstatement of membership; and

#### any other particulars the Committee or the Members at a General Meeting decide.

### Any Member who is entitled to vote may, at a reasonable time and free of charge, inspect the Register of Members.

### A Member must contact the Secretary to arrange an inspection of the register.

### The Committee may, on the application of a Member, withhold information about the Member (other than the Member’s full name) from the register available for inspection if the Committee has reasonable grounds for believing the disclosure of the information would put the Member at risk of harm.

### A Member must not:

#### use information obtained from the Register of Members to contact, or send material to, another Member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes; or

#### disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another Member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes.

### Rule 5.3(e) does not apply if the use or disclosure of the information is approved by the Members at a General Meeting.

# CESSATION OF MEMBERSHIP

## When membership ends

### Membership of a person will cease upon:

#### the resignation or death of the person;

#### the failure by the person to pay the annual membership fee for the relevant Financial Year by the date determined by the Committee (provided that such person may have his or her membership reinstated upon payment of same);

#### the person no longer satisfying all requirements for the applicable category of membership (provided that such person may have his or her membership reinstated upon satisfaction of same);

#### the person being disqualified by a Control Body for any code of racing in any jurisdiction; or

#### the termination of the person’s membership as a result of disciplinary action taken by the Committee in accordance with Rule 6.2.

### A Member may resign from the Association by giving a written notice of resignation to the Secretary. The resignation of a Member takes effect from:

#### the time the notice is received by the Secretary; or

#### if a later time is stated in the notice, the later time.

## Disciplinary action

### In accordance with this Rule, the Committee may resolve to take disciplinary action against a Member if the Committee considers that:

#### the Member has breached any of these Rules or any Policies put in place by the Committee from time to time; or

#### the Member acts in a way considered to be injurious or prejudicial to the character or interests of the Association.

### At least 14 days before the Committee Meeting at which a resolution under subrule (a) will be considered, the Secretary must notify the Member in writing:

#### that the Committee is considering a resolution to take disciplinary action against the Member;

#### that this resolution will be considered at a Committee Meeting and the date of that meeting;

#### the allegations against the Member;

#### the nature of the proposed disciplinary action; and

#### that the Member may show cause as to why, in the interests of the Association, the Committee should not take disciplinary action against the Member (and the manner in which to do so).

### Before the Committee passes any resolution under subrule (a), the Member must be given an opportunity to show cause as to why, in the interests of the Association, the Committee should not take the proposed disciplinary action by:

#### sending the Committee a written explanation before that Committee Meeting; and/or

#### speaking at the meeting.

### After considering any explanation under subrule (c), the Committee may:

#### take no further action;

#### warn the Member;

#### suspend all or some of the Member’s rights for a period of no more than 12 months;

#### terminate the Member’s membership;

#### refer the decision to an unbiased, independent person or group of persons on conditions that the Committee considers appropriate (however, the person/s can only make a decision that the Committee could have made pursuant to this Rule); or

#### require the matter to be determined by the Members of the Association at a General Meeting.

### The Committee cannot fine a Member.

### The Secretary must give written notice to the Member of the decision under subrule (d) as soon as possible.

### Any disciplinary procedures taken in accordance with this Rule 6.2 must be completed as soon as reasonably practicable.

### The Association must not take disciplinary action against a Member who has initiated an internal grievance procedure under Rule 7, or a Member appointed to act on behalf of a Member the subject of an internal grievance procedure under that Rule, until the internal grievance procedure has been completed.

## Immediate suspension

### Notwithstanding Rule 6.2, the Committee may resolve to immediately suspend a Member’s membership prior to the completion of the disciplinary procedure under that Rule if it is determined in the Committee’s reasonable opinion that:

#### a ground for disciplinary action under Rule 6.2 exists; and

#### the circumstances giving rise to the proposed disciplinary action are so extraordinary that it is imperative to immediately suspend the Member’s membership to ensure that the reputation of the Association is not brought into disrepute.

### An immediate suspension effected in accordance with subrule (a) operates immediately from the time the Member is given notice by the Secretary that the Member’s membership has been suspended and continues to operate until the matter is finally dealt with in accordance with Rule 6.2.

## Appeal against suspension or termination of membership

* + 1. Subject to subrule (b), a person whose membership has been terminated, or who has had all or some of their membership rights suspended in accordance with Rule 6.2, may give the Secretary written notice of the person’s intention to appeal against the decision.
    2. A person has no right of appeal against a decision of the Members made under Rule 6.2(d)(vi).
    3. A notice of intention to appeal must be given to the Secretary within one (1) month after the person receives written notice of the relevant decision.
    4. If the Secretary receives a notice of intention to appeal, the appeal must be decided at the next General Meeting of the Association.
    5. At the General Meeting at which the appeal is to be decided:

#### the applicant must be given a full and fair opportunity to show why the proposed disciplinary action should not be taken;

#### the Committee and each Committee Member who voted for the proposed disciplinary action must be given a full and fair opportunity to show why the proposed disciplinary action should be taken; and

#### the appeal must then be decided by a majority vote of the Members present and entitled to vote at the meeting.

* + 1. The Committee may require the applicant to pay an amount equal to the reasonable costs likely to be incurred by the Association in facilitating any Special General Meeting convened solely for the purpose of deciding an appeal in accordance with Rule 6.4(c), prior to convening that meeting.

## No claims against Association

* + 1. A Member whose membership ceases does not have any claim against the Association or the Committee for damages or otherwise.
    2. Any Member ceasing to be a Member:

#### will not be entitled to any refund (or part refund) of their annual membership fees (or any joining fee); and

#### will remain liable for and will pay to the Association all fees which were due at the date of ceasing to be a Member.

# INTERNAL GRIEVANCE PROCEDURE

## Application

### The internal grievance procedure set out in this Rule applies to disputes under these Rules between:

#### a Member and another Member;

#### a Member and the Committee; and

#### a Member and the Association.

### A Member must not initiate an internal grievance procedure in relation to a matter that is the subject of action taken in accordance with Rule 6 until the matter has been finally dealt with in accordance with that Rule.

## Parties must attempt to resolve the dispute

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

## Appointment of mediator

### If the parties to a dispute are unable to resolve the dispute between themselves within the time required by Rule 7.2, the parties must within 10 days:

#### notify the Committee of the dispute;

#### agree to or request the appointment of a mediator; and

#### attempt in good faith to settle the dispute by mediation.

### The mediator must be:

#### a person chosen by agreement between the parties; or

#### in the absence of agreement:

##### if the dispute is between a Member and another Member, a person appointed by the Committee; or

##### if the dispute is between a Member and the Committee or the Association, a person appointed or employed by the Queensland Law Society.

### A mediator appointed by the Committee may be a Member or a former Member but in any case, must not be a person who:

#### has a personal interest in the dispute; or

#### is biased in favour of or against any party.

## Mediation process

### The mediator to the dispute, in conducting the mediation, must:

#### give each party an opportunity to be heard;

#### allow due consideration by all parties of any written statement submitted by any party; and

#### ensure that natural justice is accorded to the parties throughout the mediation process.

### The mediator must not determine the dispute.

### A Member the subject of an internal grievance procedure may appoint any person to act on their behalf at the relevant mediation.

## Failure to resolve dispute by mediation

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

# GENERAL MEETINGS

## Annual General Meetings

### The Committee must convene an Annual General Meeting of the Association each year, and within six (6) months after the end of each Financial Year.

### The Committee may determine the date, time and place of the Annual General Meeting.

### Notification of the Annual General Meeting must be forwarded to each Member no less than 21 days prior to the date of the Annual General Meeting.

### The notification of the Annual General Meeting must include the following information:

#### the names of any retiring Committee Members;

#### the names of any retiring Committee Members offering themselves up for re-election; and

#### the closing date for candidates for election to the Committee to lodge their nominations along with the prescribed manner in which to do so according to Rule 10.2(a)(ii).

### The ordinary business of the Annual General Meeting is as follows:

#### to receive and consider the Association’s financial statement and audit report for the last reportable Financial Year;

#### to present the financial statement and audit report for the last reportable Financial Year for adoption;

#### to appoint an auditor or an accountant for the present Financial Year; and

#### to elect any Committee Members to be elected by the Members from time to time pursuant to Rule 10.

### The Annual General Meeting may also conduct any other business of which notice has been given in accordance with these Rules.

## Special General Meetings

### The Secretary must convene a Special General Meeting:

#### when requested to do so by the Committee;

#### if a request is made in accordance with Rule 8.2(b) by:

##### at least one-third of the total number of the Committee Members at the time the request was signed; or

##### at least the number of Members entitled to vote equal to double the number of Committee Members at the time the request was signed plus one (1); and

#### within three (3) months of receipt of a notice of intention to appeal a decision in accordance with Rule 6.4 (unless there is already a General Meeting to be held within that period, in which case the appeal must be dealt with at that meeting).

### A request for a Special General Meeting in accordance with Rule 8.2(a)(ii) must:

#### be in writing;

#### state the business to be considered at the meeting and any resolutions to be proposed;

#### include the names and signatures of the Members requesting the meeting; and

#### be given to the Secretary.

### A Special General Meeting requested in accordance with Rule 8.2(a)(ii):

#### must be held within three (3) months after the date on which the request is made; and

#### may only consider the business stated in that request.

## Notice of General Meetings

### The Secretary must give to each Member of the Association at least 14 days’ notice of a General Meeting (except in the case of the Annual General Meeting which is subject to the notice period stated in Rule 8.1(c)).

### The notice must:

#### specify the date, time and place of the meeting;

#### indicate the general nature of each item of business to be considered at the meeting; and

#### if a Special Resolution is to be proposed:

##### state in full the proposed resolution; and

##### state the intention to propose the resolution as a Special Resolution.

### No business other than that set out in a notice under this Rule may be conducted at a General Meeting.

### This Rule does not apply to a vote to decide an appeal under Rule 6.4.

## Quorum at General Meetings

### No business may be conducted at a General Meeting unless a quorum of Members is present.

### The quorum for a General Meeting is the presence (in person or as allowed under Rule 8.4(e)) of at least the same number of Committee Members at the close of the Association’s last Annual General Meeting, plus one (1).

### If a quorum is not present within 30 minutes after the notified commencement time of a General Meeting:

#### in the case of a Special General Meeting convened by, or at the request of, Members under Rule 8.2(a)(ii)(B) the meeting lapses;

#### in any other case:

##### the meeting must be adjourned to a date not more than 21 days after the adjournment; and

##### notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all Members as soon as practicable after the meeting.

### If a quorum is not present within 30 minutes after the time to which a General Meeting has been adjourned under Rule 8.4(c), the Members present at the meeting may proceed with the business of the meeting as if a quorum were present.

### A Member may take part and vote in a General Meeting by using any technology that reasonably allows the Member to hear and take part in discussions as they happen.

### A Member who participates in a meeting as mentioned in Rule 8.5(e) is taken to be present at the meeting.

## Adjournment of General Meeting

### The Chairperson of a General Meeting at which a quorum is present may, with the consent of a majority of Members present at the meeting, adjourn the meeting to another time at the same place or at another place.

### Without limiting Rule 8.5(a), a meeting may be adjourned:

#### if there is insufficient time to deal with the business at hand; or

#### to give the Members more time to consider an item of business.

### No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.

### Notice of the adjournment of a meeting under this Rule 8.5 is not required unless the meeting is adjourned for 30 days or more, in which case notice of the meeting must be given in accordance with Rule 8.3.

## Voting at General Meeting

### On any question arising at a General Meeting:

#### each Member who is entitled to vote has one (1) vote; and

#### except in the case of a Special Resolution, the question must be decided on a majority of votes.

### If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.

### Voting is to be conducted by show of hands of Members present (whether in person or by proxy) or as allowed under Rule 8.9, unless at least one-fifth of the Members present and entitled to vote at a meeting demand a secret ballot to vote on a particular matter, in which case the Chairperson must:

#### appoint two (2) Members to conduct the secret ballot; and

#### conduct the relevant vote by secret ballot.

### This Rule does not apply to a vote to decide an appeal conducted under Rule 6.4.

## Proxies

### A Member who is entitled to vote may appoint another Member as his or her proxy to vote and speak on his or her behalf at a General Meeting (other than an Appeal Meeting).

### The appointment of a proxy must be in writing and signed by the Member making the appointment.

### The Member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the Member in any matter as he or she sees fit.

### If the Committee has not approved a form for the appointment of a proxy, the Member may use any form that clearly identifies the person appointed as the Member's proxy and that has been signed by the Member. If the Committee has approved or prescribed a form for the appointment of a proxy, that prescribed form must be used by a Member to validly appoint a proxy.

### Notice of a General Meeting given to a Member under Rule 8.3 must:

#### state that the Member may appoint another Member as a proxy for the meeting; and

#### include a copy of any form that the Committee has approved for the appointment of a proxy.

### A form appointing a proxy must be given to the Chairperson of the meeting before or at the commencement of the meeting.

### A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association no later than 24 hours before the date of the relevant meeting.

### This Rule does not apply to a vote to decide an appeal conducted under Rule 6.4.

## Special Resolutions

### A Special Resolution is passed if at least three-quarters of the Members present and entitled to vote at a General Meeting (whether in person or by proxy) vote in favour of the resolution.

## Members lacking capacity and minors

### If a Member:

#### lacks capacity; or

#### has personal decisions made for them by an attorney or legal personal representative or guardian; or

#### is a minor (if applicable),

any person who has proper management or guardianship of the Member’s estate or affairs may, subject to Rule , exercise any rights of the Member in relation to a General Meeting as if the person were the Member.

### Any person with powers of management or guardianship cannot exercise any rights under Rule  unless the person has provided the Committee with satisfactory evidence of their appointment and status.

## Objection to qualification to vote

### An objection to a person's right to vote at a General Meeting:

#### may only be raised at the General Meeting or adjourned meeting at which the vote objected to is tendered; and

#### must be determined by the Chairperson of the meeting, whose decision is final.

### A vote allowed after an objection is valid for all purposes.

## Votes counted in error

If any vote is counted which ought not to have been counted or might have been rejected, the error will not invalidate the resolution unless the error is:

### detected at the same General Meeting; and

### of sufficient magnitude, in the opinion of the Chairperson, as to invalidate the resolution.

## Determining whether resolution carried

Subject to Rule 8.7, the Chairperson of a General Meeting may, on the basis of a show of hands (or secret ballot, as applicable) declare that a resolution has been:

### carried;

### carried unanimously;

### carried by a particular majority; or

### lost,

and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.

## Minutes of General Meeting

### The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each General Meeting are entered in a minute book.

### To ensure the accuracy of the minutes:

#### the minutes of each Special General Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next General Meeting, verifying their accuracy; and

#### the minutes of each Annual General Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next General Meeting, verifying their accuracy.

### In addition, the minutes of each Annual General Meeting must include:

#### the financial statements submitted to the Members in accordance with these Rules;

#### the certificate signed by two (2) Committee Members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and

#### any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

# COMMITTEE

## Role and powers

### The business of the Association must be managed by or under the direction of a Committee consisting of a President, a Vice-President, a Treasurer and up to another four (4) Committee Members.

### The Committee may exercise all the powers of the Association except those powers that these Rules or the Act require to be exercised by General Meetings of the Members of the Association.

### The Committee may:

#### appoint and remove staff;

#### establish subcommittees consisting of persons with terms of reference it considers appropriate;

#### make, amend or repeal Policies, not inconsistent with these Rules, for the internal management of the Association;

#### interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent, provided that any interpretation must have regard for the Act including any regulations made under the Act; and

#### refer questions of significance to the Association to the Members at a General Meeting.

### The Committee is collectively responsible for ensuring that the Association complies with:

#### the Act including any regulations made under the Act;

#### the Rules of Racing;

#### the policies of Racing Queensland;

#### the standards of the Queensland Racing Integrity Commission; and

#### the Club Licence Conditions,

### each as may be applicable from time to time.

## Delegation

### The Committee may delegate to a Committee Member, a subcommittee or staff, any of its powers and functions other than:

#### this power of delegation; or

#### a duty imposed on the Committee by the Act or any other law.

### The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.

### The Committee may, in writing, revoke a delegation wholly or in part.

### For the avoidance of doubt:

#### no Committee Member, subcommittee or staff will have authority to exercise powers or functions on behalf of the Association unless that power or function has been appropriately delegated in accordance with this Rule; and

#### a member of a subcommittee or staff is not entitled to vote at a Committee Meeting unless they are a Committee Member.

## General Duties

### Each Committee Member must at all times comply with these Rules and the Act.

### The Committee is collectively responsible for ensuring that the Association complies with the Act and that individual Committee Members and Members comply with these Rules (together with each of the Policies).

### Committee Members must exercise their powers and discharge their duties:

#### with reasonable care and diligence;

#### in good faith in the best interests of the Association; and

#### for a proper purpose.

### Committee Members and former Committee Members must not make improper use of:

#### their position; or

#### information acquired by virtue of holding their position,

so as to gain an advantage for themselves, any Organisation Member to which they belong, or any other person or to cause detriment to the Association.

### In addition to any duties imposed by these Rules, a Committee Member must perform any other duties imposed from time to time by resolution at a General Meeting.

## Role of Chairperson

### Subject to Rule 9.4(b), the President is the Chairperson for any General Meetings and for any Committee Meetings.

### If the President is absent or unable to preside, the Chairperson of the meeting must be:

#### in the case of a General Meeting, the Vice-President or in the absence of the Vice-President, a Member elected by the other Members present; or

#### in the case of a Committee Meeting, the Vice-President or in the absence of the Vice-President, a Committee Member elected by the other Committee Members present.

### The Chairperson is to maintain order and conduct a General Meeting or Committee Meeting in an orderly manner.

## Treasurer

### The Treasurer will be responsible for such duties delegated to the Treasurer by the Committee.

## Secretary

### The Committee must ensure that a Secretary is appointed for the Association within one (1) month of its incorporation and, if a vacancy occurs in the office of Secretary, within one (1) month of that vacancy occurring.

### The Secretary must be:

#### a Committee Member; or

#### another person appointed by the Committee as Secretary, whether a Member of the Association or otherwise appointed by the Committee as Secretary.

### The Secretary must:

#### be at least 18 years old; and

#### reside in Queensland, or in another State but not more than 65km from the Queensland border.

### The Committee has the power to appoint or remove a person as the Secretary from time to time in accordance with section 67 of the Act.

### The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.

### The Secretary must:

#### call meetings of the Association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the President;

#### keep minutes of each meeting;

#### maintain the Register of Members in accordance with Rule 5.3;

#### keep all correspondence and other documents of the Association, except for the financial records referred to in Rule 12.2(c);

#### subject to the Act, these Rules and Australian Privacy Law, provide Members with access to the Register of Members, the minutes of General Meetings and other books and documents; and

#### perform any other duty or function imposed on the Secretary by these Rules or under section 69A of the Act.

### The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.

# ELECTION AND RETIREMENT OF COMMITTEE MEMBERS

## Tenure of Committee Members

### At each Annual General Meeting a minimum of three (3) positions on the Committee must be declared vacant for election.

### The positions to be declared vacant will be as follows:

#### a casual vacancy (including the position of any Committee Member who has filled a casual vacancy); and

#### the position of a Committee Member who has held office for a term of three (3) years.

### If the required number of vacant positions cannot be declared by following the actions set out in subrule (b) above, the remaining positions to be declared vacant will be those of the Committee Members longest in office since last being elected (or re-elected). If there is an equal period between such Committee Members and none of them are prepared to retire, the vacant position or positions shall be determined by lot amongst them.

### A Committee Member whose position is declared vacant in accordance with this Rule must retire from that position and will be eligible for re-election in accordance with Rule 10.2.

## Election of Committee Members

### A Committee Member may only be elected as follows:

#### any Member may nominate to be elected as a Committee Member, provided that:

##### the person is at least 18 years old;

##### the person is entitled to vote at the time nominations are called for in the relevant year;

##### the person is not ineligible to be a Committee Member under section 61A of the Act; and

##### the person has not previously been removed from the Committee pursuant to these Rules;

#### the nomination must:

##### be made in writing, signed by two (2) Members and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination);

##### be delivered to the Secretary at least 14 days before the date fixed for the Annual General Meeting; and

##### otherwise comply with any Policies established by the Committee from time to time in respect of the nominations process;

#### a list of candidates’ names in alphabetical order, with the names of the Members who nominated each candidate, must be available for viewing by any Member on request to the Secretary within seven (7) days of the Annual General Meeting and the list must be available for inspection at the commencement of the Annual General Meeting;

#### if insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated will be deemed to be elected and further nominations for the remaining vacancies may be received from the floor at the Annual General Meeting;

#### if the number of valid nominations received is equal to the number of vacancies to be filled, the persons nominated will be deemed to be elected;

#### if the number of valid nominations exceeds the number of vacancies to be filled, a ballot must be held in which each Member present and entitled to vote may vote for one (1) candidate for each vacant position on the Committee; and

#### should any such position or positions not be filled in this manner at a relevant meeting, that position may be filled for the ensuing term by the Committee in the same manner as provided for in these Rules for filling casual vacancies.

### A candidate for election as a Committee Member may withdraw from the election by giving written notice to the Secretary.

### Notwithstanding any other provision in this Rule 10.2, a retiring Committee Member:

#### is eligible for re-election to the Committee without having to provide the nomination required in Rule 10.2(a)(ii) provided that, by the date fixed for the closure of nominations, the annual membership fee for the relevant Financial Year has been paid and they have given written notice to the Secretary of their willingness to nominate for re-election; and

#### will hold office as Committee Member until the end of the meeting at which that person retires.

### The Committee must ensure that, before a person is elected (or, in the case of a person appoint by the Committee to fill a casual vacancy, appointed) as a Committee Member, the person is advised:

#### whether or not the Association has public liability insurance; and

#### if the Association has public liability insurance, the amount of the insurance.

## Executive

### The Committee must, at its first Committee Meeting after the Annual General Meeting or during an adjournment of the Annual General Meeting, appoint a subcommittee consisting of up to four (4) Committee Members, including:

#### a President;

#### a Vice President;

#### a Treasurer; and

#### a Secretary (if the Secretary is a Committee Member),

#### (“the Executive").

### The Executive will continue in existence until the next Annual General Meeting.

### The Executive will have the powers and functions delegated to it in accordance with Rule 9.2 (if any).

### A person who has served for six (6) continuous years on the Executive must stand down from that position for at least 12 months before being eligible for re-appointment on the Executive.

### Should a position on the Executive become vacant at any time, the remaining Committee Members must elect one of its number to fill that position by simple majority.

## Vacation of office

### The office of a Committee Member becomes vacant if:

#### the Committee Member fails to attend three (3) consecutive Committee Meetings (other than an Urgent Meeting) without leave of absence under Rule 11.9;

#### where the Committee Member is a Member of the Association, the Committee Member ceases to be a Member of the Association;

#### the Committee Member is disqualified by a Control Body for a code of racing in any jurisdiction;

#### the Committee Member breaches these Rules or any Policies put in place by the Committee from time to time;

#### the Committee Member conducts themselves in a way considered to be injurious or prejudicial to the characters or interests of the Association (as determined in the reasonable opinion of the Committee);

#### the Committee Member resigns their office in writing to the Committee;

#### the Committee Member lacks capacity or has personal decisions made for them by an attorney or legal representative;

#### in accordance with section 64(2) of the Act, the Committee Member:

##### dies;

##### becomes bankrupt or compounds with creditors or otherwise takes advantage of the laws in force for the time being relating to bankruptcy;

##### is:

* + - * 1. convicted of an offence under the Act; or
        2. convicted of an indictable offence or an offence punishable on summary conviction for which the person is sentenced to imprisonment, other than in default of payment of a fine;

##### has been convicted of an offence on indictment or summarily and sentenced to imprisonment, other than in default of payment of a fine, and the rehabilitation period in relation to the conviction has not expired;

#### the Committee Member is removed by an ordinary resolution passed by Members at an Annual General Meeting or General Meeting convened in part or in whole to deal with such resolution.

### Before a vote is taken about removing a Committee Member from office in accordance with Rule 10.4(a)(ix), the person must be given a full and fair opportunity to show cause as to why they should not be removed from office.

### For the avoidance of doubt, a Committee Member who is removed from office by a resolution of the Members pursuant to Rule 10.4(a)(ix) has no right of appeal against such resolution.

## Filling casual vacancies

### The Committee must use all reasonable endeavours to appoint a suitable member to fill the position of a Committee Member that:

#### has become vacant under Rule 10.4; or

#### was not filled by election at the last Annual General Meeting,

#### (“**casual vacancy**”).

### A person appointed to fill a casual vacancy:

#### must be at least 18 years old;

#### will hold office as a Committee Member until the next Annual General Meeting of the Association.

### The Committee may continue to act despite any vacancy in its membership, however if the number of Committee Members is less than the number fixed under Rule 11.5(b) as a quorum of the Committee, the remaining Committee Members may act only to:

#### increase the number of Committee Members to the number required for a quorum; or

#### call a General Meeting of the Association.

# COMMITTEE MEETINGS

## Meetings of Committee

### The Committee must meet as often as necessary to properly conduct the business and operations of the Association, and in any event at least once in every four (4) calendar months at the dates, times and places determined by the Committee.

### The date, time and place of the first Committee Meeting must be determined by the Committee Members as soon as practicable after the Annual General Meeting of the Association at which the Committee Members were elected.

### Committee Meetings may be convened by the President or by any three (3) Committee Members.

### The Committee may hold meetings, or permit a Committee Member to take part in its meetings, by using any technology that reasonably allows the Committee Member to hear and take part in discussions as they happen.

## Notice of meetings

### Notice of a Committee Meeting must be given to each Committee Member no later than 48 hours prior to the meeting.

### Notice may be given of more than one (1) Committee Meeting at the same time.

### The notice must state the date, time and place of the meeting.

### If an Urgent Meeting is convened in accordance with Rule 11.3, the notice must include the general nature of the business to be conducted.

### The only business that may be conducted at the meeting is the business for which the meeting is convened, unless all Committee Members present at the meeting determine otherwise.

## Urgent Meetings

### In cases of urgency, a meeting can be held without notice being given in accordance with Rule 11.2 provided that as much notice as practicable is given to each Committee Member by the quickest means practicable (“Urgent Meeting”).

### Any resolution made at an Urgent Meeting must be passed by an Absolute Majority of the Committee.

### The only business that may be conducted at an Urgent Meeting is the business for which the meeting is convened.

## Procedure and order of business

### The procedure to be followed at a Committee Meeting must be determined from time to time by the Committee.

### The order of business may be determined by the Chairperson.

## Quorum

### No business may be conducted at a Committee Meeting unless a quorum is present.

### The quorum for a Committee Meeting is the presence (in person or as allowed under Rule 11.1(d)) of a majority of the Committee Members holding office.

### If a quorum is not present within 30 minutes after the notified commencement time of a Committee Meeting:

#### in the case of an Urgent Meeting, the meeting lapses; and

#### in any other case, the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with Rule 11.2.

### If, at an adjourned meeting mentioned in Rule 11.5(c)(ii), there is no quorum within 30 minutes after the notified commencement time of the meeting, the meeting lapses.

## Voting

### On any question arising at a Committee Meeting, each Committee Member present at the meeting has one (1) vote.

### A motion is carried if a majority of Committee Members present at the meeting vote in favour of the motion.

### Rule 11.6(b) does not apply to any motion or question which is required by these Rules to be passed by an Absolute Majority of the Committee.

### If votes are divided equally on a question, the question is to be decided in the negative.

### Voting by proxy is not permitted.

## Conflict of interest

### A Committee Member who has a material personal interest in a matter being considered at a Committee Meeting must disclose the nature and extent of that interest to the Committee.

### The Committee Member:

#### must not be present while the matter is being considered at the meeting; and

#### must not vote on the matter.

### This Rule does not apply to a material personal interest:

#### that exists only because the Committee Member belongs to a class of persons for whose benefit the Association is established; or

#### that the Committee Member has in common with all, or a substantial proportion of, the Members of the Association.

### If there are not enough Committee Members to form a quorum to consider a matter because of this Rule 11.7, one (1) or more Committee Members, including the Committee Members who have a material personal interest in the matter, may call a General Meeting to deal with the matter.

## Minutes of meeting

### The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Committee Meeting are entered in a minute book.

### Without limiting subrule (a), the minutes of each Committee Meeting must include:

#### the names of the Committee Members in attendance at the meeting;

#### the business considered at the meeting;

#### any resolution on which a vote is taken and the result of the vote; and

#### any material personal interest disclosed under Rule 11.7.

### To ensure the accuracy of the minutes, the minutes of each Committee Meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next Committee Meeting, verifying their accuracy.

## Leave of absence

### The Committee may grant a Committee Member leave of absence from Committee Meetings for a period not exceeding three (3) months.

### The Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the Committee Member to seek the leave in advance.

## Written resolutions

### The Committee Meeting may pass a resolution without holding a Committee Meeting if all the Committee Members entitled to vote on the resolution sign a document or give written confirmation that they are in favour of the resolution.

### For the purpose of a resolution made in accordance with this Rule:

#### the document may be signed in counterparts provided that the wording is identical in each counterpart copy; and

#### the resolution will be considered passed when the last Committee Member signs or gives written confirmation in favour of the resolution.

# FINANCIAL MATTERS

## Management of funds

### The funds of the Association must be kept in an account in the name of the Association in a financial institution decided by the Committee.

### The Treasurer, or other officer authorised by the Committee, must:

#### receive all amounts paid to the Association and, if asked, immediately give a receipt for the amounts; and

#### as soon as practicable:

##### deposit each amount received into the account referred to in subrule (a);

##### enter the particulars of each amount received, and payments made by the Association, into the Association’s cash book.

### Payments of less than $100 may be made from a petty cash account kept on the imprest system. Particulars of all payments from, and reimbursements to, the petty cash account must be recorded in a petty cash book.

### Payments of $100 or more must be made by cheque or electronic funds transfer provided that, if made by cheque, the cheque must be signed by any two (2) of the following:

#### the President;

#### the Secretary;

#### the Treasurer;

#### any one (1) of the three (3) other Members who have been authorised by the Committee to sign cheques issued by the Association.

### However, one (1) of the persons who signs the cheque must be the President, Secretary or the Treasurer.

### Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.

### The Committee must:

#### approve or ratify the Association’s expenditure; and

#### ensure the approval or ratification is recorded in the Committee’s minute book.

### The Association’s expenditure must be supported by adequate documentation filed in chronological order and kept at a place decided by the Committee.

### The Treasurer, or other officer authorised by the Committee, must regularly:

#### balance the cash book; and

#### make a reconciliation between the cash book and the balance of the account referred to in subrule (a).

### The Association must ensure that it complies with any additional obligations it may have regarding the management of funds as may be prescribed by the Act including any regulations made under the Act.

## Financial records

### The Association must keep financial records that:

#### correctly record and explain its transactions, financial position and performance; and

#### enables financial statements for the Association to be prepared as required by the Act including any regulations made under the Act; and

#### enables financial statements to be properly and conveniently audited as required by the Act including any regulations made under the Act.

### The Association must retain the financial records in Queensland and for seven (7) years after the transactions covered by the records are completed.

### The Association must securely maintain:

#### the financial records for the current Financial Year; and

#### any other financial records as authorised by the Committee.

### The Association must ensure that it complies with any additional obligations it may have regarding the keeping of financial records as may be prescribed by the Act including any regulations made under the Act.

## General financial matters

### On behalf of the Committee, the Treasurer must, as soon as practicable after the end date of each Financial Year, ensure a financial statement for its last reportable Financial Year is prepared.

### The income and property of the Association must be used solely in promoting the Association’s objects and exercising the Association’s powers.

## Distribution of surplus assets

### This Rule applies if the Association:

#### is wound-up under part 10 of the Act; and

#### has surplus assets.

### The surplus assets must not be distributed among the Members.

### The surplus assets must be given to another entity:

#### having objects similar to the Association's objects;

#### the Rules of which prohibit the distribution of the entity's income and assets to its Members; and

#### otherwise in accordance with any laws or policies of Racing Queensland as may be applicable from time to time.

### In this Rule, surplus assets has the meaning given in section 92(3) of the Act.

# GENERAL MATTERS

## Documents

### The Committee must ensure the safe custody of books, documents, instruments of title and securities of the Association.

## Common seal

### The Association may have a common seal.

### If the Association has a common seal, the common seal must be:

#### kept securely by the Committee;

#### used only under the authority of the Committee.

### Each instrument to which the seal is attached must be signed by a Committee Member and countersigned by:

#### the Secretary; or

#### another Committee Member; or

#### someone authorised by the Committee.

## Registered address

The registered address of the Association is:

### the address determined from time to time by resolution of the Committee; or

### if the Committee has not determined an address to be the registered address, the postal address of the Secretary.

## Notice requirements

### Any notice required to be given to a Member or a Committee Member under these Rules may be given:

#### by handing the notice to the Member or Committee Member personally;

#### by sending it by post to the Member or the Committee Member at the address recorded for the Member (or Committee Member) on the Register of Members; or

#### by email to the Member or the Committee Member at the address recorded for the Member (or Committee Member) on the Register of Members.

### Any notice required to be given to the Association or the Committee may be given:

#### by handing the notice to a Committee Member;

#### by sending the notice by post to the registered address of the Association;

#### by leaving the notice at the registered address of the Association; or

#### by email to the email address of the Association or the Secretary.

## Alteration of Rules

### Subject to the Act, these Rules may only be altered by Special Resolution at a General Meeting of the Association.

### However, an alteration to these Rules is only valid if it is registered by the Registrar.