



ABN: 71 822 552 336

**Amputees out on limb everyday**

## **CONSTITUTION OF TASMANIAN AMPUTEES SOCIETY INC.**

### **MISSION STATEMENT**

The Tasmanian Amputee Society will support amputees and promote independence by providing individualised support to achieve their chosen goals and empowering amputees to enhance their quality of life.

Contact information for Tasmanian Amputee Society Inc  
Correspondence address C/O- 70 Franklin Street Westbury TAS 7303  
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# CONSTITUTION OF TASMANIAN AMPUTEES SOCIETY INC.

## NAME OF SOCIETY

1. The name of the Society is The Tasmanian Amputees Society Inc.

## INTERPRETATION

2. In these rules –

“**Act**” means the *Associations Incorporation Act 1964*;

“**Society**” means the society referred to in rule 1;

“**auditor**” means the person appointed as the auditor of the Society under rule 9;

“**basic objects of the Society**” means the objects and purposes of the society as stated in an application under section 7 of the Act for the incorporation of that Society.

“**committee**” means a committee as defined by the Act;

“**general meeting**” includes –  
(a) the annual general meeting; and  
(b) any special general meeting;

“**ordinary business of the annual general meeting**” means the business defined under rule 11(5);

“**ordinary committee member**” means a member of the committee to whom rule 23(1)(b) relates;

“**special general meeting**” means any general meeting other than the annual general meeting.

## **SOCIETY'S OFFICE**

3. The office of the Society is to be located at 70 Franklin Street Westbury or at any other place the Society determines.

## **OBJECTS AND PURPOSES OF SOCIETY**

4. The objects and purposes of the Society include the following:
  - (a) To promote, assist and carry out projects which are of benefit to amputees.
  - (b) To promote co-operation between all organizations and persons engaged in the furtherance of services to amputees.
  - (c) To provide supportive assistance to amputees through the provision of information and skilled personnel.
  - (d) To liaise with Government Departments and Statutory Agencies on behalf of the Society.
  - (e) To promote and assist in the education of the general public in the needs of amputees.
  - (f) To encourage professional staff to take an interest in the needs and lifestyles of amputees
  - (g) To encourage research and training to be undertaken in all aspects which affect amputees.
  - (h) To encourage the training and rehabilitation of amputees through supportive services.
  - (i) To provide charitable services which are beneficial to the community.
  - (j) To undertake the purchase, taking on lease or exchange, and the hiring or otherwise acquiring of any real or personal property necessary or convenient for any of the objects or purposes of the Society.
  - (k) The buying, selling and supplying of, and dealing in, goods of all kinds.

- (l) The construction, maintenance and alteration of buildings or works necessary or convenient for any of the objects or purposes of the Society.
- (m) The accepting of any gifts for any one or more of the objects or purposes of the Society.
- (n) The taking of any step the committee or members in general meeting consider expedient for the purpose of procuring contributions to the funds of the Society.
- (o) The printing and publishing of any newspapers, periodicals, books, leaflets or other documents the committee or the members in general meeting consider desirable for the promotion of the objects and purposes of the Society.
- (p) The borrowing and raising of money in any manner and on terms –
  - (i) the committee thinks fit; or
  - (ii) approved or directed by resolution passed at a general meeting;
- (q) Subject to the provisions of the *Trustees Act 1898*, the investment of any moneys of the Society not immediately required for any of its objects or purposes in any manner the committee determines.
- (r) The making of gifts, subscriptions or donations to any of the funds, authorities or institutions to which section 78(1)(a) of the *Income Tax Assessment Act 1936* of the Commonwealth relates.
- (s) The establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts, schemes and conveniences calculated to benefit servants or past servants of the Society and their dependants, and the granting of pensions, allowances or other benefits to servants or past servants of the Society and their dependants, and the making of payments towards insurance in relation to any of those purposes.
- (t) The establishment and support, or aiding in the establishment or support, of any other association formed with any of the basic objects of the Society.
- (u) The purchase or acquisition, and undertaking, of all or any part of the property, assets, liabilities and engagements of any association with which the Society is amalgamated in accordance with the provisions of the Act and the rules of the Society.
- (v) The doing of any lawful thing incidental or conducive to the attainment of the basic objects of the Society or of any of the objects and purposes specified in this rule

## **MEMBERSHIP OF THE SOCIETY**

5. (1) A person who is nominated and approved for membership as provided in these rules is eligible to be a member of the Society on payment of the annual subscription fixed under these rules.
- (2) A person who is not a member of the Society at the time of the incorporation of the Society is not to be admitted to membership –
  - (a) unless the person is nominated in accordance with subrule (3) and;
  - (b) the admission as a member is approved by the committee.
- (3) A nomination for membership of the Society is to be –
  - (a) made in writing and shall be endorsed for membership at the next meeting of the Society and in accordance with sub rule (c):
  - (b) accompanied by the written consent of the person nominated and:
  - (c) lodged with the public officer of the Society.
- (4) The consent referred to in subrule (3) may be endorsed on the nomination.
- (5) As soon as practicable after the receipt of a nomination, the public officer is to refer the nomination to the committee.
- (6) On a nomination being approved by the committee, the public officer –
  - (a) is to notify the nominee, in writing, that he or she has been approved for membership of the Society; and
  - (c) upon receipt of the sum payable as the first year's subscription, is to enter the nominee's name in a register of members.
- (7) A member of the Society may resign from the Society by delivering or sending by post to the public officer a written notice of resignation.
- (8) On receipt of a notice from a member under subrule (7), the public officer is to remove the name of the member from the register of members.
- (9) A person –
  - (a) becomes a member of the Society when his or her name is entered in the register of members; and
  - (b) ceases to be a member of the Society when his or her name is removed from the register of members.
- (10) Any right, privilege or obligation of a person as a member of the Society –

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

(11) If the Society is wound up –

- (a) every member of the Society; and
- (b) every person who, within the period of 12 months immediately preceding the commencement of the winding up, was a member of the Society –is liable to contribute –
- (c) to the assets of the Society for payment of the debts or liabilities of the Society; and
- (d) for the costs, charges and expenses of the winding up; and
- (e) for the adjustment of the rights of contributors amongst themselves.
- (f) in the event of the organisation being dissolved, all assets that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes, which is charitable at law and which has rules prohibiting the distribution of its assets and income to its members: and
- (g) if the organisation is wound up or its endorsement as a deductible gift recipient is revoked (whichever occurs first), any surplus of the following assets shall be transferred to another organisation with similar objectives, which is charitable at law, to which income tax deductible gifts can be made:
  - a. gifts of money or property for the principal purpose of the organisation;
  - b. contributions made in relation to an eligible fundraising event held for the principal purpose of the organisation;
  - c. money received by the organisation because of such gifts and contributions.

(12) Any liability under subrule (11) is not to exceed one dollar.

(13) A former member is not liable to contribute under subrule (11) in respect of any debt or liability of the Society contracted after he or she has ceased to be a member.

(14) In the event of a member not having paid his or her membership fee for the current year by July 31<sup>st</sup>, the public officer shall forthwith inform the member in writing that if his or her membership is not paid on or before August 31<sup>st</sup> his or her membership may lapse and his or her name shall be removed from the register of members and will not be eligible to vote on matters of the Society.

(15) A person who applies for and is granted membership under these rules within three months prior to the end of the financial year shall be deemed to be

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financial for the ensuing year and have full voting rights on matters of the  
Society.

- (16) The Society may from time to time appoint a patron of the Society who shall be an ex-officio honorary member of the Society during his or her appointment.

## **INCOME AND PROPERTY OF THE SOCIETY**

6. (1) The income and property of the Society is to be applied solely towards the promotion of the objectives and purposes of the Society.
- (2) No portion of the income and property of the Society is to be paid or transferred to any member of the Society.
- (3) The Society is not to –
- (a) appoint a person who is a member of the committee to any office in the gift of the Society to the holder of which there is payable any remuneration by way of salary, fees or allowances; or
  - (b) pay to any such person any remuneration or other benefit in money or money's worth, other than the repayment of out-of-pocket expenses.
- (4) A servant or member of the Society may be paid –
- (a) remuneration in return for services rendered to the Society or for goods supplied to the Society in the ordinary course of business; or
  - (b) interest at a rate not exceeding 7.25% on money lent to the Society; or
  - (c) a reasonable and proper sum by way of rent for premises let to the Society.

## **ACCOUNTS OF RECEIPTS AND EXPENDITURE**

7. (1) True accounts are to be kept of –
- (a) all money received and expended by the Society and the matter in respect of which the receipt or expenditure takes place; and
  - (b) the property, credits and liabilities of the Society.
- (2) The accounts are to be open to inspection by the members of the Society subject to any reasonable restrictions as to time and manner of inspecting the Society may impose.

- (3) The treasurer of the Society is to keep all general record, accounting books and records of receipts and expenditure connected with the operations and business of the Society in the form and manner the committee directs.
- (4) The accounts, books and records are to be kept at the Society's office or at any other place the committee decides.

## **BANKING AND FINANCE**

8. (1) The treasurer of the Society, on behalf of the Society, is to –
- (a) receive all money paid to the Society; and
  - (b) immediately after the receipt issue official receipts.
- (2) The committee is to cause to be opened with any bank, building society or credit union the committee selects an account in the name of the Society into which all monies received is to be paid as soon as possible after receipt.
- (3) The committee may –
- (a) receive from the Society's financial institution the cheques drawn by the Society on any of its accounts with the financial institution; and
  - (b) release and indemnify the financial institution from and against all claims, actions, suits or demands that may be brought against the financial institution arising directly or indirectly out of those cheques.
- (4) Except with the authority of the committee. A payment of any sum exceeding \$20 is not to be made from the funds of the Society otherwise than by cheque drawn on the Society's account.
- (5) The committee may provide the treasurer with a sum to meet urgent expenditure, subject to any conditions in relation to the use and expenditure the committee may impose.
- (6) Cheques are not to be drawn on the Society's account except for the payment of expenditure that has been authorised by the committee .
- (7) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments are to be –
- (a) signed by the treasurer or, in his or her absence, by another member or members of the committee nominated for that purpose; and



## **AUDITOR**

9. (1) At each annual general meeting of the Society, the members present are to appoint a person as the auditor of the Society.
  - (2) The auditor is to hold office until the annual general meeting next after that at which he or she is appointed, and is eligible for re-appointment. The auditor is not to be a committee member, the public officer or a servant of the Society.
  - (3) The first auditor may be appointed by the committee before the first annual general meeting, unless earlier removed by a resolution of the members at a general meeting, when that meeting may appoint an auditor to act until the first annual general meeting.
  - (4) If an appointment is not made at an annual general meeting, the committee is to appoint an auditor for the current financial year of the Society.
  - (5) Except as provided in subrule (3), the auditor may only be removed from office by special resolution.
  - (6) If a casual vacancy occurs in the office of auditor during the course of a financial year of the Society, the committee may appoint a person as the auditor to hold office until the next succeeding annual general meeting.

## **AUDITING OF ACCOUNTS**

- 10.(1) The auditor is to examine the accounts of the Society at least once in each financial year of the Society
  - (2) The auditor is to –
    - (a) certify as to the correctness of the accounts of the Society; and
    - (b) report to the members present at the annual general meeting.
  - (3) In the report and in certifying to the accounts the auditor is to state if –
    - (a) he or she has obtained the required information; and
    - (b) in his or her opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Society –

- (i) according to the information at his or her disposal and the explanations given; and
  - (ii) as shown by the books of the Society; and
  - (c) the rules relating to the administration of the funds of the Society have been observed.
- (4) The public officer of the Society is to cause to be delivered to the auditor a list of all the accounts, books and records of the Society.
- (5) The auditor may –
- (a) have access to the accounts, books, records, vouchers and documents of the Society; and
  - (b) require from the servants of the Society any information and explanations he or she considers necessary for the performance of the duties of auditor; and
  - (c) employ persons to assist in investigating the accounts of the Society; and
  - (d) in relation to the accounts of the Society, examine any member of the committee or any servant of the Society.

## **ANNUAL GENERAL MEETING**

- 11.(1)** The Society is to hold an annual general meeting each year.
- (2) The annual general meeting is to be held on any day (being not later than three months after the close of the financial year of the Society) the committee determines.
  - (3) The annual general meeting is to be in addition to any other meetings that may be held in the same year.
  - (4) The notice convening the annual general meeting is to specify the purpose of the meeting.
  - (5) The ordinary business of the annual general meeting is to be as follows:
    - (a) to confirm the minutes of the last preceding annual general meeting and any general meeting held since that meeting;
    - (b) to receive from the committee, auditor and servants of the Society reports on the transactions of the Society during the last preceding

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financial year;

- (c) to elect the officers of the Society and the ordinary committee members;
- (d) to appoint the auditor and determine his or her remuneration;
- (e) to determine the remuneration of servants of the Society.

(6) The annual general meeting may transact special business of which notice is given in accordance with these rules.

## **SPECIAL GENERAL MEETINGS**

**12.** (1) The committee may convene a special general meeting of the Society at any time.

(2) The committee, on the requisition in writing of at least 10 members, may convene a special general meeting of the Society.

(3) A requisition for a special general meeting

(a) is to state the objects of the meeting; and

(b) is to be signed by the requisitionists; and

(c) is to be deposited at the office of the Society; and

(d) may consist of several documents, each signed by one or more of the requisitionists.

(4) If the committee does not cause a special general meeting to be held within 21 days from the day on which a requisition was deposited at the office of the Society, the requisitionists, or any of them, may convene the meeting within 3 months from the day of the deposit of the requisition.

(5) A special general meeting convened by requisitionists is to be convened in the same manner as nearly as possible as meetings are convened by the committee.

(6) All reasonable expenses incurred by requisitionists in convening a special general meeting are to be refunded by the Society.

## **NOTICES OF GENERAL MEETINGS**

**13.** The public officer of the Society, at least 14 days before the date fixed for holding a general meeting of the Society, is to cause to be publicized on the Society's Web Page and via social media pages. (published in the State an advertisement) –

- (a) specifying the place, day and time for the holding of the meeting; and
- (b) the nature of the business to be transacted at that meeting.
- (c) a financial member of the Society shall be entitled to appoint in writing a person who is also financial a member of the Society to be
- (d) their proxy, and attend and vote at any general meeting of the Society.

## **BUSINESS AND QUORUM AT GENERAL MEETINGS**

- 14.** (1) All business transacted at a general meeting, except for the ordinary business of the annual general meeting, is special business.
- (2) Business is not to be transacted at a general meeting unless a quorum of members entitled to vote is present at the time the meeting is considering that business.
  - (3) At the Annual General Meeting and at any special general meeting convened, a quorum shall consist of twenty percent (20%) of Association members. In the absence of a quorum matters of importance to the Association may be discussed but no vote on any such matters shall be taken.

## **PRESIDENT TO PRESIDE AT GENERAL MEETINGS**

- 15.** (1) The president, or in his or her absence the senior vice-president, or in the absence of the president and the senior vice-president, the other vice-president, is to preside as chairperson at every general meeting of the Society.
- (2) If the president and both vice-presidents are absent from a general meeting, the Members present are to elect one of their number to serve as chairperson.

## **ADJOURNMENT OF GENERAL MEETINGS**

- 16.** (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than business left unfinished at the meeting at which the adjournment took place.
- (2) If a meeting is adjourned for 14 days or more, the notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.

- (3) It is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

## **DETERMINATION OF QUESTIONS ARISING AT GENERAL MEETINGS**

17.(1) A question arising at a general meeting of the Society is to be determined on a show of hands.

- (2) Unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the chairperson that a resolution, on a show of hands, has been carried, or carried unanimously, or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Society is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

## **VOTES**

18.(1) On any question arising at a general meeting of the Society, a member has one Vote only.

- (2) All votes are to be given personally.

- (3) In the case of an equality of voting on a question, the chairperson has a second or casting vote.

## **TAKING OF POLL**

19. If at a meeting a poll on any question is demanded \_

- (a) it is to be taken at that meeting in the manner the chairperson directs;  
and  
(b) the result of the poll is taken to be the resolution of the meeting on that question.

## **WHEN POLL TO BE TAKEN**

20.(1) A poll that is demanded on the election of a chairperson, or on a question of adjournment, is to be taken immediately.

- (2) A poll that is demanded on any other question is to be taken at any time before the close of the meeting as the chairperson directs.

## **AFFAIRS OF SOCIETY TO BE MANAGED BY A COMMITTEE**

**21.** (1) The affairs of the Society are to be managed by a committee of management constituted as provided in rule 23.

(2) The committee –

- (a) is to control and manage the business and affairs of the Society; and
- (b) may exercise all the powers and perform all the functions of the Society, other than those powers and functions that are required by these rules to be exercised by general meetings of the Society; and
- (c) has power to do anything that appears to the committee to be essential for the proper management of the business and affairs of the Society.

## **OFFICERS OF THE SOCIETY**

**22.**(1) The officers of the Society are as follows:

- (a) a president;
- (b) 2 vice-presidents;
- (c) a treasurer;
- (d) a secretary.

(2) One of the vice-presidents is to be known as the senior vice-president.

(3) The provisions of rule 24(2), (3) and (4), so far as they are applicable and with the necessary modifications, apply in relation to the election of persons in any of the offices referred to in subrule (1).

(4) Each officer of the Society is to hold office until the annual general meeting next after the date of election, and is eligible for re-election.

(5) If a casual vacancy in any office referred to in subrule (1) occurs, the committee may appoint one of its members to the vacant office, to hold the office up to and including the conclusion of the annual general meeting next following the date of the appointment.

## **CONSTITUTION OF THE COMMITTEE**

**23.**(1) The committee consists of the following members elected at the annual general meeting of the Society in each year:

- (a) the officers of the Society;
- (b) 5 other members.

(2) An ordinary committee member is to hold office until the annual general meeting next after the date of election, and is eligible for re-election.

(3) If a casual vacancy occurs in the office of ordinary committee member, the committee may appoint a members of the Society to fill the vacancy until the conclusion of the annual general meeting next following the date of appointment.

## **ELECTION OF MEMBERS OF COMMITTEE**

**24.**(1) Nominations for candidates for election as officers of the Society or as ordinary committee members are to be –

- (a) made in writing signed by 2 members of the Society and accompanied by the written consent of the candidate (which may be endorsed on the nomination); and
- (b) delivered to the public officer of the Society at least 10 days before the date fixed for the annual general meeting.

(2) If insufficient nominations are received to fill all vacancies on the committee –

- (a) the candidates nominated are taken to be elected; and
- (b) further nominations are to be received at the annual general meeting. be filled, the persons nominated are taken to be elected.

(3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.

(4) If the number of nominations exceeds the number of vacancies to be filled, a ballot is to be held.

(5) The ballot for the election of officers and ordinary committee members is to be conducted at the annual general meeting in the usual manner as direct by the committee.

## **VACATION OF OFFICE**

**25.** For the purposes of these rules, the office of an officer of the Society or an ordinary

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Committee member becomes vacant if the officer or committee member –

- (a) dies; or
- (c) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his or her creditors, or makes any assignment of his or her estate for their benefit;
- (c) becomes of unsound mind; or
- (d) resigns office in writing addressed to the committee or:
- (e) ceases to be resident in the state; or
- (f) fails, without leave granted by the committee, to attend 3 consecutive meetings of the committee; or
- (g) ceases to be a member of the Society; or
- (h) Fails to pay all arrears of subscription due; within 14 days after receiving a notice in writing signed by the public officer stating that he or she has ceased to be a financial member of the Society.

## **MEETINGS OF THE COMMITTEE AND SUBCOMMITTEES**

**26.** (1a) The committee is to meet at least once in each 3 months at any place and time the committee determines.

(1b) should some matter arise in between meetings, that can not be handled by the executive, a special meeting is to be called.

- (2) Special meetings of the committee may be convened by the president or any 4 of its members.
- (3) Notice is to be given to members of the committee of any special meeting, specifying the general nature of the business to be transacted, and no other business is to be transacted at such a meeting.
- (4) 20 percent of members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (5) Business is not to be transacted unless a quorum is present. Matters maybe discussed but not voted on until the scheduled meeting unless the matter is urgent a meeting can be scheduled to resolve the matter.



- (6) If half an hour after the time appointed for the meeting a quorum is not present, the meeting is to be adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it is to be dissolved.
- (7) At a meeting of the committee, the following is to preside:
  - (a) the president, or in his or her absence the senior vice-president, or in the absence of both the president and the senior vice-president, the other vice-president;
  - (c) if the president and the 2 vice-presidents are absent, any one of the remaining members of the committee may be chosen by the members present.
- (8) Any question arising at a meeting of the committee or of any subcommittees appointed by the committee is to be determined –
  - (a) by a show of hands; or
  - (b) if demanded by a member, by a poll taken in any manner the person presiding at the meeting determines.
- (9) Each member present at a meeting of the committee or of any subcommittee Appointed by that committee (including to person presiding at he meeting) is entitled to one vote.
- (10) If there is an equality of votes on any question, the person presiding will have a second and casting vote.
- (11) Written notice of each committee meeting is to be served on each member of the committee by –
  - (a) delivering it at a reasonable time before the meeting; or
  - (c) sending it by post in a prepaid envelope addressed to his or her last-known address in time to reach him or her in due course of post before the date of the meeting.

## **DISCLOSURE OF INTEREST IN CONTRACTS**

- 27.(1)** A member of the committee who is interested in any contract or arrangement made or proposed to be made with the Society is to disclose the interest -
- (a) at the first meeting of the committee at which the contract or arrangement is first taken into consideration, if the interest then exists; or

(b) in any other case, at the first meeting of the committee after the acquisition of the interest.

- (2) If a member of the committee becomes interested in a contract of arrangement After it is made or entered into, he or she is to disclose the interest at the first meeting of the committee after he or she becomes so interested.
- (3) A member of the committee is not to vote as a member of the committee in respect of any contract or arrangement in which he or she is interested and any such vote is not to be counted.

## **SUBCOMMITTEES**

**28.**(1) The committee may –

- (a) appoint a subcommittee from the committee; and
- (b) prescribe the powers and functions of that subcommittee.

- (2) The committee may co-opt any person as a member of a subcommittee without voting rights, whether or not the person is a member of the Society.
- (3) A quorum for a meeting of the subcommittee is 3 appointed members.
- (4) The public officer of the Society is to convene meetings of a subcommittee.
- (5) Written notice of each subcommittee meeting is to be served on each member Of the subcommittee by –
  - (a) delivering it at a reasonable time before the meeting; or
  - (b) by sending it by post in a prepaid envelope addressed to his or her usual and last known address in time to reach him or her in due course of post before the date of the meeting.

## **EXECUTIVE COMMITTEE**

**29.**(1) The president, the vice-presidents, the treasurer and the secretary constitute the executive committee.

- (2) The executive committee may issue instructions to the public officer and the servants of the Society in matters or urgency connected with the management of the affairs of the Society during the period between meetings of the committee.

- (3) The executive committee is to report on any instructions issued under subrule (2) to the next meeting of the committee.

## **ANNUAL SUBSCRIPTIONS**

- 30.**(1) The annual subscriptions payable by members is to set by the annual general meeting each year, on recommendations from the committee.
- (2) The annual subscription may be altered by the members by special resolution.
- (3) The annual subscription of a member is due and payable on or before the first day of the financial year of the Society.

## **FINANCIAL YEAR**

- 31.** The financial year of the Society is the period beginning on July 1<sup>st</sup> in one year and Ending on June 30<sup>th</sup> the following year.

## **NOTICES**

- 32.** A notice my be served by or on behalf of the Society on any member –
- (a) personally; or
  - (b) by sending it through the post in a prepaid envelope addressed to the member at his or her usual or last-known address.

## **EXPULSION OF MEMBERS**

- 33.**(1) The committee may expel a member from the Society if, in the opinion of the committee, the member is guilty of conduct detrimental to the interests of the Society.
- (2) The expulsion of a member under subrule (1) does not take effect until whichever of the following is the later date:
- (a) the expiration of 14 days after the service on the members of a notice under subrule (3)
  - (b) if the member exercises his right of appeal under this rule, the conclusion of the special general meeting convened to hear the appeal.
- (3) If the committee expels a member from the Society, the public officer of the Society, without undue delay, is to cause to be served on the member a notice in writing –

- (a) stating that the committee has expelled the member; and
- (b) specifying the grounds for the expulsion; and
- (c) informing the member of the right to appeal against the expulsion under rule 34.

## **APPEAL AGAINST EXPULSION**

- 34.(1)** A member may appeal against an expulsion under rule 33 by delivering or sending by post to the public office of the Society, within 14 days after the service of a notice under rule 33(3), a requisition in writing demanding the convening of a special general meeting for the purpose of hearing the appeal.
- (2) On receipt of a requisition –
    - (a) the public officer is to immediately notify the committee of its receipt; and
    - (c) the committee is to cause a special general meeting of members to be held within 21 days after the date on which the requisition was received.
  - (3) At a special general meeting convened for the purpose of this rule-
    - (a) no business other than the question of the expulsion is to be transacted; and
    - (b) the committee may place before the meeting details of the grounds of the expulsion and the committee’s reasons for the expulsion; and
    - (c) the expelled member is to be given an opportunity to be heard; and
    - (d) the members present are to vote by secret ballot on the question whether the expulsion should be lifted or confirmed.
  - (4) If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion –
    - (a) the expulsion is to be lifted; and
    - (b) the expelled member is entitled to continue as a member of the Society.
  - (5) If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion –
    - (a) the expulsion takes effect; and
    - (b) the expelled member ceases to be a member of the society.

## **DISPUTES**

**35.(1)** A dispute between a member of the Society in the capacity of as a member and the Society is to be determined by arbitration in accordance with the provisions of the *Commercial Arbitration Act 1986*.

(2) This rule does not affect the operation of rule 34.

## **SEAL OF SOCIETY**

**36.(1)** The seal of the Society is to be in the form of a rubber stamp, inscribed with the name of the Society encircling the word “Seal”.

(2) The seal of the Society is not to be affixed to any instrument except by the authority of the committee.

(3) The affixing of the seal is to be attested by the signatures of –  
(a) 2 members of the committee; or  
(b) one member of the committee and the public officer of the Society or any other person the committee may appoint for that purpose.

(4) Attestation under subrule (3) is sufficient for all purposes that the seal was affixed by the authority of the committee.

(5) The seal is to remain in the custody of the public officer.

## **OTHER RULES**

**37.** The rules of the Society may be amended in accordance with all the provisions of the Society Incorporation Act 1964 by a special resolution of members of the Society entitled under these rules to vote as may be present in person at a General Meeting of which notice specifying the intention to propose changes to these rules as a special resolution was given in accordance with these rules.

**38.** An alteration to the rules, objects or purposes of the Society or of any trusts relating to the Society shall be of no effect until the provisions of the Societies Incorporations Act 1964 has been complied with and where required the alteration has been approved by

