



**CONSTITUTION OF  
SOUTHERN DOWNS EX-SERVICES ASSOCIATION  
QUEENSLAND INCORPORATED**

---

**Rule: 1. NAME**

- 1) The name of the Association shall be,  
**SOUTHERN DOWNS EX-SERVICES ASSOCIATION  
QUEENSLAND INCORPORATED**  
(Hereinafter called the, **association**).
- 2) So far as is permitted by law, and unless it is incapable of application, the short title of the association shall be “**SDESA Qld Inc.**”

**Rule: 2. DEFINITIONS**

- 1) In these Rules: -

*Financial year* means, the year ending on **30th June**;

*The Act means*, the *Associations Incorporation Act 1981*;

*The Regulation* means, *The Associations Incorporation Regulation 1999*;

*Executive Committee* means, *the President, Vice President, Secretary and Treasurer*.

**Rule: 3. OBJECTS**

The objects for which the Southern Downs Ex-Services Association Qld Inc;

- 1) To provide a Social Gathering, promoting the remembrance of members who served with the Australian Defence Forces or allies, Australian Emergency Services as defined in this Constitution.
- 2) To promote and exhibit, parade or display, all aspects of memorabilia to honour the tribute of the persons defined in this Constitution. All further references to the word “member” or “members”, is restricted to those defined in that Clause, whether they are a member of the Association or not.
- 3) Without limiting the generality thereof, to assist members and their dependants, descendants, guardians of children of members, in reinforcing with honour, material necessary to exhibit, parade, display and to maintain their memory, which has been in any way related with the military service or emergency service rendered by the member, as part of the military forces and emergency services listed herein.
- 4) To actively encourage and assist in promoting all the lawful rights and entitlements of the members for their dependants and descendants in obtaining war, military operational, campaign, peacekeeping, peacemaking and emergency services medals, decorations, awards, certificates and alike.
- 5) To affiliate with any body whatsoever having similar objectives to this Association.
- 6) To promote the objects of the Association where and when necessary for the benefit of all members and their dependants.

- 7) To carry out those fund-raising activities and financial transactions required financing and achieving those objectives.
- 8) To participate as a representative body of Southern Downs Ex-Services Association Qld Inc in remembrance services and other such memorial services that may be held.
- 9) To ensure that those who fell in wars, military operations, campaigns, conflicts and emergency services duties, who suffered and are still suffering from warlike, military operations, campaigns, peacekeeping, peacemaking and emergency services duties, are remembered and that their service does not fall into obscurity.
- 10) To encourage amongst members a Spirit of National Loyalty and to perpetuate a sense of comradeship within the community such as was obtained in the Australian Defence Forces and the Emergency Services, during warlike, military operations, campaigns, peacekeeping, peacemaking and emergency services duties.

**Rule: 4. POWERS OF THE ASSOCIATION**

- 1) To take over the funds and other assets and liabilities of the present unincorporated group known as the ‘Southern Downs Ex-Services Association’.
- 2) In furtherance of the objects of the Association to acquire, hold, deal with and dispose of property; enter contracts and sell and deal in all kinds of articles commodities and provisions, both liquid and solid, for the members of the Association.
- 3) To take such steps by personal or written appeals, public meetings or otherwise, as from time to time deemed expedient, for procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions, fees or otherwise.
- 4) To print and publish any newspapers, periodicals, books or leaflets that the association may think desirable for the promotion of its objects.
- 5) The association may also issue secured and unsecured notes, debentures and debenture stock for the association
- 6) To make donations for patriotic, charitable or community purposes.
- 7) To do all such other things necessary or convenient to be done in carrying out it’s affairs.

**Rule 5. CATEGORIES OF MEMBERS**

The membership of the association shall consist of ordinary members, and the following classes of members;

**1. Ordinary Members**

The membership fee for each ordinary membership and for each other class of membership,

- (a) is the amount decided by the members from time to time at a general meeting;
- (b) is payable when, and in the way, the management committee decides.
- (c) the number of ordinary members is unlimited
- (d) ordinary members have full voting rights.

## **2. Associate Members**

- a. The membership of the Association shall consist of associate members of equal status within the Association without regard to gender or title.
- b. Any other person whose partner in Rule 6, (5) a, b, c, d, served in the Australian Defence Forces or the Australian Emergency Services, but who does not otherwise come within the criteria contained.
- c. The number of associate members is unlimited.
- d. Associate members shall not have voting rights.

## **3. Life Members**

- a. Ordinary members who have performed exceptional service for or on behalf of the Association, for a period of not less than ten years, may be granted Life Membership based on a majority vote at the Annual General Meeting of the Association, provided that not more than two Life Members shall be elected to each branch each year.
- b. A Life Member shall be exempt from payment of subscription fees and shall be entitled to all rights, duties and privileges of a financial member.
- c. The number of Life Members is limited to (2) two per financial year.

## **4. Honorary Members**

The number of Honorary Members shall be limited to appointments made each financial year and be determined by the Executive Committee.

- a. If such person is not already a financial member and is of such capability and calibre that the Honorary Member would be of undoubtable advantage to the Association.
- b. In recognition of outstanding services rendered to the Association.
- c. The number of Honorary Members is limited to (2) two per financial year and will not have voting rights.

## **Rule: 6. Membership**

- (1). Any person who, on the day the association is incorporated, was a member of the unincorporated association and who, on or before a day fixed by the executive committee, agree in writing to become a member of the incorporated association, must be admitted by the executive Committee to the same class of membership of the association as the member held in the unincorporated association.
- (2). A member of the incorporated association who, before becoming a member, has paid the member's annual subscription for membership of the unincorporated association on or before a day fixed by the executive Committee, is not liable to pay a further amount of annual subscription for the period before the day fixed by the executive committee as the day on which the next annual subscription is payable.

- (3). An application for membership of the association, other than the members of the unincorporated association mentioned in the above, must be proposed by a financial member of the association (**the proposer**) and seconded by another financial member of the association (**the seconder**).
- (4). An application for membership must be –
- (a) in writing; and
  - (b) signed by the applicant and the applicant's proposer and seconder; and
  - (c) in the form decided by the Executive Committee.
- (5). Any person meeting the eligibility criteria as set out below, upon the presentation of proof of service or similar documents, may be admitted as an ordinary member of the Association.
- 1) Any person who served with the Australian Defence Forces, Australian Emergency Services or other service, that the Executive Committee deem as extremely hazardous service: -
- a. As a Member of Southern Downs Ex-Services Association Qld Inc;
  - b. As a Member of the Australian Allied Forces attached to an Australian Forces.
  - c. As a Member of the Australian State or Federal Police Services, Australian Ambulance Services, Australian Fire Rescue Services, State or Territory Emergency Services.
  - d. Any person whose partner in paragraph (5) 1) a-c; or as above, served in warlike operational, campaigns, peacekeeping, peacemaking or other emergency services duties, but does not otherwise come within the criteria contained above.

**Rule: 7. ENTRANCE FEE**

The Entrance Fee shall not be less than ten dollars: \$10.00.

**Rule: 8. ANNUAL SUBSCRIPTION FEE**

- 1) The annual subscription fee for each financial year shall be such a sum as the members at the annual General Meeting may determine.
- 2) The annual subscription fee shall be payable in advance by the first day of July, in every financial year after which no resignation, termination or forfeiture of membership shall exempt a former member from payment of the current year's subscription.
- 3) Payment of the annual subscription fee shall be made to the Honorary Treasurer.
- 4) A financial member at any material time is a member who is not indebted to the Association in respect of any annual subscription fee.
- 5) A member who is in arrears with her/his subscription fees for three calendar months shall be deemed to have forfeited her/his membership. The member may be reinstated on payment of the amount due.
- 6) Only those members who are financial at the time of the general meeting shall be entitled, subject to the lawful procedure of the meeting, to speak or vote upon a motion.

**Rule: 9. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE**

A right, privilege or obligation, which a person has due to be a member of the Association, is not capable of being transferred to another person; and terminates on cessation of the person's membership.

**Rule: 10. WHEN MEMBERSHIP TERMINATES**

- 1) A member may resign from the association by giving a written notice of resignation to the secretary.
- 2) The resignation takes effect on –
  - (a) the day and at the time the notice is received by the secretary; or
  - (b) if a later day is stated in the notice – the later day.
- 3) The Executive Committee may terminate a member's membership if the member;
  - (a) is convicted of an indictable offence; or
  - (b) does not comply with any of the provisions of these rules; or
  - (c) has membership fees in arrears for at least 3 (Three) months; or
  - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association, the executive shall consider whether his/her membership shall be terminated.
- 4) Before the executive Committee terminates a member's membership, the executive Committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- 5) If, after considering all representations made by the member, the executive Committee decides to terminate the membership, the secretary of the executive committee must give the member a written notice of the decision.

**Rule: 11. APPEALS AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

- 1) Any person, whose application for membership has been rejected, may within one month after receiving written notification of such rejection, appeal against the decision of the Executive Committee, may give the secretary notice in writing of the person's intention to appeal against the decision.
- 2) A notice of intention to appeal must be given to the secretary within 1 (One) month after the person receives written notice of the decision.
- 3) If the secretary receives a notice of intention to appeal, the secretary must, within 3 (Three) months after the day of receipt, call a general meeting to decide the appeal.
- 4) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- 5) Also, the executive committee and Committee members who rejected the application or terminated the membership must be given an opportunity to show why the application should be rejected or the membership should be terminated.
- 6) The appeal must be decided by a vote of the members present at the meeting.
- 7) If a person whose application has been rejected does not appeal against the decision within 1 (One) month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the application fee paid by the person.

**Rule: 12. REGISTER OF MEMBERS**

- (1) The Executive committee must keep a register of members.
- (2) The register of members must include the following for each member –
  - (a) the full name and residential address of the member.
  - (b) The date of admission as a member.
  - (c) The date of death or resignation of the member.
  - (d) Details about the termination or resignation of membership.
  - (e) Any other the executive committee or the members at the general meeting decide.
- (3) The register must be open for inspection at all reasonable times.
- (4) However, before the member may inspect the register, the member must apply to the secretary to inspect it.
- (5) A member of the Association must not.
  - a. Use information obtained from a Register of members of the Association to contact, or send material to, another member of the Association for advertising for political, religious, charitable or commercial purpose, or
  - b. 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 advertising for political, religious, charitable or commercial purposes

**Rule: 13. SECRETARY**

- (1) If a vacancy happens in the office of secretary, the members of the executive Committee must ensure a secretary is appointed or elected for the association within I (One) month after the vacancy happens.
- (2) (The secretary must be an individual residing in Queensland, or in another State but not more than 65 (Sixty-Five) km from the Queensland border, who is –
  - (a) a member of the association elected by the association as secretary; or
  - (b) Any of the following persons appointed by the Executive Committee
    - (i) member of the association’s management committee
    - (ii) a member of the association.
    - (iii) another person.
    - (iv) the secretary’s functions include, but are not limited to;
    - (v) calling meetings of the association, including preparing notices of a meeting and of business to be conducted at the meeting in consultation with the president of the association; and
  - (c) keeping minutes of each meeting.
  - (d) keeping copies of all correspondence and other documents relating to the association; and
  - (e) maintaining the register of members of the association.
- (3) If the association has not elected an interim officer as secretary for the association before its incorporation, the members of the management committee must ensure a secretary is appointed or elected for the association within 1 month after incorporation.
- (4) If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the association within (1) one month after the vacancy happens.

- (5) If the management committee appoints a person mentioned in sub rule (2)(b)(ii) as secretary, other than to fill a casual vacancy on the management committee, the person does not become a member of the management committee.
- (6) However, if the management committee appoints a person mentioned in sub rule (2)(b)(ii) as secretary to fill a casual vacancy on the management committee, the person becomes a member of the management committee.
- (7) If the management committee appoints a person mentioned in sub rule (2)(b)(iii) as secretary, the person does not become a member of the management committee.
- (8) In this rule— *casual vacancy*, on a management committee, means a vacancy that happens when an elected member of the management committee resigns, dies or otherwise stops holding office.

**Rule: 14. REMOVAL OF SECRETARY**

- (1) The management committee of the association may at any time remove a person appointed by the committee as the secretary.
- (2) If the management committee removes a secretary who is a person mentioned in rule 13(2)(b)(1) the person remains a member of the management committee.
- (3) If the management committee removes a secretary who is a person mentioned in rule 13(2)(b)(2) and who has been appointed to a casual vacancy on the management committee under rule, the person remains a member of the management committee.
- (4) The Executive Committee may appoint and remove the association's secretary at any time.

**Rule: 15. MEMBERSHIP OF EXECUTIVE COMMITTEE**

- 1) The Executive Committee shall consist of a President, Vice-President, and Treasurer, all of whom shall be members of the association and such number of other members elects or appointed at a general meeting.
- 2) A member of the Executive Committee, other than the Secretary, must be a member of the association.
- 3) At the annual general meeting, all members of the Executive Committee shall retire from office, but shall be eligible upon nomination, for re-election.

**Rule: 16. ELECTING THE MANAGEMENT COMMITTEE**

- 1) The election of officers and other members of the Executive Committee shall take place in the following manner: -
  - a. Any two members of the Association shall be at liberty to nominate any other member to serve as an officer or other member of the Executive Committee.
  - b. The nomination, which shall be in writing and signed by the member and them proposer and seconder, shall be lodged with the secretary at least 7 (seven) days before the annual general meeting at which the election is to take place.
  - c. A list of the candidates' names in alphabetical order, with the proposers' and Seconders' names, shall be posted in a conspicuous place in the office or usual place of meeting of the Association, for at least seven days immediately preceding the annual general meeting
  - d. Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the annual general meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.

- e. Should, at the commencement of such a meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.
- f. All voting at annual general meetings shall be by show of hands, or as the committee deems fit. The chairperson shall nominate at least two scrutineers to count the votes.
- 2) g. A person may be a candidate only if the person—
  - (a) is an adult; and
  - (b) is not ineligible to be elected as a member under section 61A of the Act.
- 3) A member of the association may be appointed to a casual vacancy on the management committee under rule 18. (1).

**Rule: 17. RESIGNATION OR REMOVAL FROM OFFICE OF EXECUTIVE COMMITTEE**

- 1) An Executive Committee may resign from the committee by giving written notice of resignation to the secretary.
- 2) The resignation takes effect on –
  - (a) the day and at the time the notice is received by the secretary;
  - (b) if a later day is stated in the notice – the later day.
- 3) A member may be removed from office at a general meeting of the association if most the members present at the meeting vote in favour of removing the member.
- 4) Before a vote of members is taken about the removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- 5) A member has no right of appeal against the member’s removal from office under this section.

**Rule: 18. VACANCIES ON EXECUTIVE AND COMMITTEE**

- (vi) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the association to fill the vacancy until the next annual general meeting.
- (vii) The continuing members of the management committee may act despite a casual vacancy on the management committee.
- (viii) However, if the number of the committee members is less than the number fixed under these rules as a quorum of the management committee, the continuing members may act only to –
  - (a) increase the number of management committee members to the number required for a quorum; or
  - (b) call a general meeting of the association.

**Rule: 19. FUNCTIONS OF THE EXECUTIVE COMMITTEE**

- 1) Except as otherwise provided by these Rules and subject to resolutions of the members of the association carried at the annual general meeting –
  - a. Shall have the general control and management of the administration of the affairs, property and funds of the association; and,

- b. Shall have authority to interpret the meaning of these rules and matters relating to the association on which these rules are silent.
- 2) Meetings of the Executive Committee shall be held at least once every three calendar months to exercise its function
- 3) The committee must decide how a meeting is to be called.
- 4) A special meeting of the Executive Committee shall be convened by the secretary on the requisition in writing signed by not less than one- third of the members of the Executive Committee, which requisitions shall clearly state the reasons why such meeting is being convened and the nature of the business to be transacted thereat.
- 5) At every meeting of the Executive Committee a simple majority of a number equal to the number of members elected and/or appointed to the Executive Committee as at the close of the last annual general meeting of the members, shall constitute a quorum.
- 6) Subject as previously provided in this rule, the executive committee may meet and regulate its proceedings as it thinks fit, if questions arising at any meeting of the Executive Committee shall be decided by most votes and in case of equality of votes, the question shall be deemed to be decided in the negative.
- 7) A member of the executive committee shall not vote in respect of any contract or proposed contract with the association in which she or he is interested, or any matter arising thereout, and if she or he does so vote, she or his vote shall not be counted.
- 8) Not less than (14) fourteen days' notice shall be given by the secretary to members of the Executive Committee of any special meeting of the Executive Committee. Such notice shall clearly state the nature of the business to be discussed thereat.
- 9) The President shall preside as chairperson at every meeting of the Executive Committee, or if there is no President, or if at any meeting, she or he is not present within fifteen minutes after the time appointed for holding the meeting, the Vice President shall be chairperson, if the Vice President is not at the meeting, then the members may choose one of their number to act as the chairperson of the meeting.
- 10) If within half an hour from the time appointed for the commencement of an Executive Committee meeting a quorum is not present, the meeting, if convened upon the requisition of the members of the Executive Committee, shall lapse. In any other case, it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Executive Committee may determine, and at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.
- 11) The Executive Committee may delegate any of its powers to a sub-committee consisting of such members of the association as the Executive Committee thinks fit. Any sub-committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Executive Committee.
  - a. A sub-committee may elect a chairperson of its meetings. If no such chairperson is elected, or if at any meeting the chairperson is not present within fifteen minutes after the time appointed for holding the meeting, the members present may choose one of their numbers to be chairperson of the meeting.
  - b. A sub-committee may meet and adjourn as it thinks proper. Most votes of the members present shall determine questions arising at any meeting and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.

- 12) All acts done by any meeting of the Executive Committee or of a sub-committee or by any person acting as a member of the Executive Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Executive Committee or person acting as aforesaid, or that the members of the Executive Committee or any of them were disqualified, be as valid as if every such person had duly appointed and was qualified to be a member of the Executive Committee.
- 13) A resolution in writing signed by all the members of the Executive Committee for the time being entitled to receive notice of a meeting of the Executive Committee shall be as valid and effectual as if it had been passed at a meeting of the Executive Committee duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more members of the Executive Committee.

**Rule: 20. GENERAL MEETINGS**

- 1) The First General Meeting of the Association, shall be held at a time, not less than one month, nor more than three months after the date of Incorporation of the Association, and at such place as the Executive Committee may determine.
- 2) The first Annual General Meeting (herein refer to as; (AGM.) shall be held within the period of 18 months after the date of Incorporation of the Association and each subsequent AGM shall be held within the period of six months after the expiration of each financial year of the association.
- 3) **Minutes of General Meetings**
  - (a) 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.
  - (b) to ensure the accuracy of the minutes; and
  - (c) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and
  - (d) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.
- (4) If asked by a member of the association, the secretary must, within 28 days after the request is made—
  - (a) make the minute book for a general meeting available for inspection by the member at a mutually agreed time and place; and
  - (b) give the member copies of the minutes of the meeting.
  - (c) The association may require the member to pay the reasonable costs of providing copies of the minutes
- 5) **The Business to be transacted at every Annual General Meeting shall be: –**
  - a. The receiving of the Executive Committee’s report and Statement of Income and Expenditure, Assets and Liabilities and Mortgages, Charges and Securities affecting the property of the Association for the preceding financial year.
  - b. The Receiving of the Auditor’s Report upon the books and accounts for the preceding year.

- c. The Election of Members of the State Executive Committee.
- d. President, Vice President, Treasurer, Secretary and five (5) Financial Committee Members
- e. The Appointment of a Qualified Auditor.
- f. The Appointment of a Qualified Solicitor.
- g. The Appointment of a Patron/s.

6) **The Secretary shall convene a Special General Meeting (herein refer to as a; (SGM).)**

- a. When directed to do so by the Executive Committee; or,
- b. On a written request, signed by not less than one-third of the members presently on the Executive Committee, plus one. Such request shall clearly state the reasons why such S.G.M. is being convened and the nature of the business to be transacted thereat; or,
- c. On being given a notice in writing of an intention to appeal against the decision of the Executive Committee to reject an application for membership or to terminate the membership of any person.
- d. At any general meeting, the number of members required to constitute a quorum shall be double the number of members presently on the Executive Committee plus one.
- e. No business shall be transacted at any general meeting unless a quorum of members is present at the time the meeting proceeds to business. For this rule, 'Member' includes a person attending as a proxy or as representing a corporation that is a member.
- f. If within half an hour from the time appointed for commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Executive Committee of the association, shall lapse. In any other case, it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Executive Committee may determine, and if at the adjourned general meeting a quorum is not present within half an hour from the time appointed for the general meeting the members present shall be a quorum.
- g. The secretary shall convene all AGM's and SGM's of the Association, by giving not less than fourteen days notice of such AGM or SGM. to the members of the association.
- h. The Executive Committee shall determine how such notice shall be given. Provided that the Executive Committee convenes a notice of any SGM. for hearing and determining the appeal of a member against the rejection or termination of her or his membership, shall be given in writing. Notice of a S.G.M. shall state the nature of the business to be discussed thereat.

8) **Unless otherwise provided by these Rules, every General Meeting: –**

- a. The President shall preside as chairperson, or if there is not a President, or if he or she is not present within fifteen minutes after the time appointed for holding of the general meeting or is unwilling to act, the Vice-President shall be chairperson or if the Vice- President is not present or is unwilling to act then the members present shall elect one of their number to be chairperson of the general meeting.



- 
- i. The instrument appointing a proxy shall be deposited with the secretary prior to the commencement of any meeting or adjournment meeting at which the person named in the instrument proposes to vote; and
  - j. The secretary shall cause full and accurate minutes of all questions, matter, resolutions and other proceedings of every annual general meeting or special general meeting, Executive Committee meetings to be recorded and be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the secretary for that inspection. For ensuring the accuracy of the recording of such minutes, the minutes of every A.G.M. and S.G.M. shall be signed by the chairperson of that meeting or the chairperson of the next succeeding Executive Committee verifying the accuracy.

**Rule: 21. BY-LAWS**

- 1) The Executive Committee may from time to time make, amend or repeal by-laws, not inconsistent with these Rules, for the internal management of the Association and any by-law may be set aside by an annual general meeting or special general meeting.

**Rule: 22. ALTERATION OF RULES:**

- (a) Subject to the provisions of the *Associations Incorporation Act 1981*, these rules may be amended, repealed or added to only by a Special Resolution carried at a general meeting.
- (b) However, an amendment, repeal or addition is valid only if it is registered by the chief executive. (*Chief executive means the officer in the Government Department*)

**Rule: 23. COMMON SEAL**

- 1) The Executive Committee shall provide for a common seal.
- 2) The common seal must be: –
  - a. Kept securely by the Executive Committee; and
  - b. Used only under the authority of the Executive Committee.
- 3) Each instrument to which the seal is attached must be signed by a member of the Executive Committee and countersigned by –
  - a. The Secretary; or
  - b. Another member of the Executive Committee; or
  - c. Someone appointed by the Executive Committee.

**Rule: 24. FUNDS AND ACCOUNTS**

- 1) The funds of the association shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.
- 2) The funds of the association shall be banked in the name of the association in such bank as the Executive Committee may from time to time direct.

- 3) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the association and the usually shown in books of a like nature.
- 4) All moneys shall be banked as soon as practicable after receipt thereof.
- 5) All amounts of one hundred dollars (\$100.00) or over shall be paid by cheque or electronic transfer. Cheques may be signed by any two of four persons, being the President, Vice President, Treasurer and Secretary, or other member authorised from time to time by the Executive Committee.
- 6) Cheques shall be crossed '*NOT NEGOTIABLE*'.
- 7) The Executive Committee shall determine the amount of petty cash, which shall be kept, on the imprest system.
- 8) All expenditure shall be approved or ratified at an Executive Committee meeting.
- 9) As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a Statement containing of –
  - a. The income and expenditure for the financial year just ended; and,
  - b. The assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of the year.
- 10) All such statements shall be examined by the auditor who shall present her/his report upon such audit to the secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.
- 11) The income and property of the association whencesoever derived, shall be used and applied solely in promotion of its objects and in the exercise of its powers as seen out herein and no portion thereof, shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit, to or amongst the members of the association provided that nothing to or amongst the members of the association provided that nothing herein contained shall prevent the payment in good faith or interest to any member in respect of moneys advanced by the member to the association, or otherwise owing by the association to the member or remuneration to any officers or servants of the association or to any member of the association or other person in return for any services actually rendered to the association; provided further that nothing herein contained, shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the association, or reasonable and proper rent for premises demised or let to the association.
- 12) A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
- 13) All expenditure must be approved or ratified at a management committee meeting.
- 14) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers

**Rule: 25. DOCUMENTS**

The Executive Committee shall provide for the safe custody of all computer records, books, documents, instruments of title and securities of the association.

**Rule: 26. FINANCIAL YEAR**

- 1) The financial year of the association shall close on the **30<sup>th</sup> June** in each year.
- 2) On behalf of the management 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.

**Rule: 27. NON-POLITICAL AND NON-SECTARIAN ACTIVITIES**

- 1) The association shall not officially associate, attend or take part in any political or sectarian gatherings or meetings. This rule shall not apply to any service or parade or returned servicewomen or servicemen, funerals, dedications, commemorative or memorial services, involving ceremonies or functions of like nature.
- 2) No member, invited guest or any other person shall introduce any political or sectarian questions at a meeting of the association which, in the opinion of the chairperson is calculated to excite party political or sectarian feelings.

**Rule: 28. INSURANCE**

The association shall obtain public liability insurance from a non-for-profit organization, whether the association has any real or personal property, to a minimum value of \$20,000.000.00

**Rule: 29. NOTICES**

- 1) Notices may be given to any member either personally, or by sending it by post or electronic mail, to his or her address registered with the association, or if she or he has no registered address, to the place of abode of the member last known to the secretary. Where a notice is sent by post, or electronic mail, the service shall be deemed to have been effective at the expiration of forty-eight (48 hours) after the time of posting.
- 2) Notice to the association or its committee may be given by leaving any notice personally with the secretary, or by sending the same by prepaid registered post to the address of the Association from time to time. The accidental omission to give notice of a meeting, to, or the non-receipt of a notice of a meeting, by a member shall not invalidate the proceedings of the meeting to which it refers.

**Rule: 30. APPOINTMENT OF AN AUDITOR**

The members at each annual general meeting shall appoint an auditor of the association or special general meeting convened for that purpose. Any auditor so appointed shall be a person holding the qualifications prescribed by the Charitable Fundraising Act 1991 and the Charitable Fundraising Regulation 1993.

**Rule: 31. GENDER**

All reference in the constitution made to the male gender is applicable also to the female gender.

**Rule: 32. ALL POSITIONS HELD**

All positions referred to within this constitution are on an honorary basis, less reasonable out of pocket expenses.

**Rule: 33. DISTRIBUTION OF SURPLUS ASSETS**

- 1). The association shall be dissolved –
- (a) The association is wound-up Under Part 10 of the Act; and
  - (b) If a resolution to that effect is carried by a vote of a three-fourths majority of the financial members present at and Executive Committee Meeting convened to consider the question.
  - (c) has surplus assets.
  - (d) The surplus assets must not be distributed among the members of the association.
  - (e) The surplus assets must be given to another entity—
  - (f) having objects similar to the association's objects; and
  - (g) the rules of which prohibit the distribution of the entity's income and assets to its members.
- 2). The property and other assets of the association remaining after payment of all expenses and liabilities, shall be handed to the Pringle Cottage Museum, Warwick. Qld. 4370.

**CERTIFICATION**

**We certify that this is a true and correct copy of the Constitution of the Southern Downs Ex-Services Association Queensland Incorporated.**

.....  
**PRESIDENT.**

.....  
**SECRETARY.**

.....  
(Print Full Name.)

.....  
(Print Full Name.)

**Dated this                      Day of .....**

