

MACKAY GYMNASTICS INC

CONSTITUTION

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"Gymnastics for all"



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1.0 Words and expressions to have meaning in the act

A word or expression that is not defined in these model rules but is defined in the *Associations Incorporation Act 1981* has, if it contents permits, the meaning given in the Act.

2.0 Name

The name of the incorporated association is **MACKAY GYMNASTICS INCORPORATED** ("the Association").

3.0 Objects

The objects of the Association are:

- 3.1 To promote, encourage and foster the sport of amateur gymnastics.
- 3.2 To ensure the safety and welfare of the participants and members.
- 3.3 To enable and encourage all children of varying abilities to participate in gymnastics, and to attain their maximum level of excellence and standard of achievement.
- 3.4 Provide the correct foundations in the teaching of gymnastics and to establish and maintain an atmosphere conducive to the learning of gymnastics.
- 3.5 To conduct, manage and promote gymnastics for interested persons in Mackay and surrounding districts.
- 3.6 Develop and support coaches, judges and administrators.
- 3.7 Above all other ambitions of the Association maintain as a minimum the ["three pillars" below](#) - gymnastic [pillar](#) programs, both recreational and competitive to the highest possible level in:
 - 3.7.a Men's Artistic Gymnastics – beginners to seniors
 - 3.7.b Women's Artistic Gymnastics - beginners to seniors
 - 3.7.c [Trampoline](#) - beginners to seniors
 - 3.7.d [Acrobatics](#) - beginners to seniors
- 3.8 Provide adequate facilities and equipment and coaching staff to ensure [MAG, WAG and Trampoline pillar](#) programs can develop evenly within the club to maintain equity.
- 3.9 Maintain a common fees price structure across all disciplines offered regardless of the different cost associated with maintaining these programs.
- 3.10 [To maintain the merged Association formed from "Gymnastics Mackay Inc" and "Mackay Gymnastic Academy Inc" as a single entity.](#)
- 3.11 [To promote the professional development of coaches, staff and volunteers through Association with industry recognised courses and institutions.](#)

4.0 Powers

The powers of the Association are:

- 4.1 The Association has the powers of an individual.
- 4.2 The Association may [for example](#):

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- 4.2.a Enter into contracts.
- 4.2.b Acquire, hold, deal with and dispose of property.
- 4.2.c Make charges for service and facilities it supplies.
- 4.2.d Do other things necessary or convenient to be done in carrying out its affairs.

~~4.3 The Association may take over the funds and other assets and the liabilities of the present Associations known as "Gymnastics Mackay Inc" and "Mackay Gymnastic Academy Inc".~~

~~4.44.3~~ The Association may also issue secured and unsecured notes, debentures and stock for the Association.

~~4.54.4~~ The Association may ~~To~~ raise funds ~~by~~ contributions of members and any other lawful means, to realise the objects of the Association.

5.0 Classes of Members

5.1 The membership of the Association shall consist of the following classes of members:

- 5.1.a Ordinary Members.
- 5.1.b Life members.
- 5.1.c Honorary members

5.2 The number of ordinary members is unlimited.

6.0 Membership

~~6.1 A person who on the day the association is incorporated, was a member of "Gymnastics Mackay Inc" or "Mackay Gymnastics Academy Inc" will automatically be admitted by the Management Committee to the same class of membership of the association as the member held in either of the merging associations.~~

~~6.2 A person who, on the day the association is incorporated, was a member of either of the merging associations and who, has paid the members annual subscription for membership of the association on or before a day fixed by the Management Committee, is not liable to pay a further amount of annual subscription fees for the period before the day fixed by the Management Committee as the day on which the next annual subscription is payable.~~

~~6.36.1~~ Voting rights are limited to one vote per ordinary membership payment at any General Meeting.

~~6.46.2~~ Where a person who is a minor (under the age of 18 years) is a member, they will not have voting rights until they reach the age of 18 years.

~~6.56.3~~ Life membership may be granted to any person in reward for meritorious service on behalf of the Association by resolution passed at a general meeting provided that special notice of intention to move such a resolution shall have been given with a notice of the meeting. Life members will have voting rights at general meetings.

~~6.66.4~~ Honorary membership may be granted to any person by resolution passed at a Management Committee meeting provided that special notice of intention to move such a resolution shall have been given with a notice of the meeting. Honorary members will have voting rights at general meetings.

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7.0 Membership Fees

- 7.1 The membership fee for each class of membership is:
- 7.1.a The amount decided by the members from time to time at general meeting; and
 - 7.1.b Is payable when, and in a way, the Management Committee decides.

8.0 Admission and rejection of members

- 8.1 Membership of the Association shall be open to any person of good character and repute who is interested in gymnastics and whose membership is likely to be compatible with the objects of the Association.
- 8.2 Ordinary Membership will be automatically granted to [gymnasts](#)' families, (unless the member has previously had their membership terminated by the Management Committee), when an applicant completes the relevant documentation, in a form set by the Management Committee, and pays the annual membership fee as set from time to time [by](#) the Management Committee.
- 8.3 Persons applying for membership who do not have a family member participating in a gymnastics program within the Association will have their application considered by the Management Committee after it receives the application; and appropriate membership fee for the application. The Management Committee must decide at [the a](#) meeting, whether to accept or reject the application by way of a vote. If the applicant receives a majority vote [of the meeting](#) the membership must be accepted. The [S](#)ecretary must advise the applicant of the acceptance or rejection of the application as soon as is practicable after the Management Committee meeting.
- 8.4 Membership will automatically be renewed upon payment of the membership fee unless the member has previously had their membership terminated by the Management Committee.

9.0 When membership ends

- 9.1 A member may resign from the Association by giving written notice to the secretary.
- 9.2 The resignation takes effect on
- 9.2.a The day and at the time the notice is received by the secretary
 - 9.2.b If a later day is stated on the notice – the later day.
- 9.3 The Management Committee may terminate a member's membership if the member:
- 9.3.a is convicted of an indictable offence, or
 - 9.3.b fails to comply with any of the provisions of these rules; or
 - 9.3.c has membership fees or term fees in arrears for at least two months; or
 - 9.3.d conducts [himself or herself](#) in a manner considered to be injurious or prejudicial to the character or interests of the Association
- 9.4 Before the Management Committee terminates a member's membership, the Management Committee must give the member concerned a full and fair opportunity to show why the membership should not be terminated.

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9.5 If, after considering all representations made by the member, the Management Committee decides to terminate the membership, the sSecretary of the Management Committee must give the member a written notice of the decision.

10.0 Appeal against rejection or termination of membership

- 10.1 A person whose application for membership has been rejected or whose membership has been terminated may give the secretary written notice of the persons intention to appeal against the decision
- 10.2 A notice of intention to appeal must be given to the sSecretary within 1 month after the person receives written notice of the decision.
- 10.3 If the Ssecretary receives a notice of intention to appeal, the Ssecretary must, within 3 months after the day of receipt, call a general meeting to decide the appeal.
- 10.4 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.
- 10.5 Also, the Management Committee and the 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.
- 10.6 An appeal must be decided by a vote of the members present at the meeting.
- 10.7 If a person whose application has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Ssecretary must, as soon as practicable, refund the application fee paid by the person.

11.0 Register of members

- 11.1 The Management Committee must keep a register of members.
- 11.2 The register of members must include the following particulars for each member:
- 11.2.a the full name and residential address of the member;
 - 11.2.b the date of admission as a member;
 - 11.2.c the date of death or resignation of the member;
 - 11.2.d details about the termination or reinstatement of membership;
 - 11.2.e any other particulars the management committee or the members at a general meeting decide.
- 11.3 The register must be open for inspection at all reasonable times.
- 11.4 However, before the member may inspect the register, the member must apply to the Ssecretary to inspect it.

12.0 Secretary

- 12.1 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.

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- 12.2 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 month after the vacancy happens.
- 12.3 The secretary must be an individual residing in Queensland, or in another State but not more than 65 km from the Queensland border, who is:
- 12.3.a A member of the Association and elected by the Association as secretary; or
 - 12.3.b Any of the following persons appointed by the Management Committee:
 - 12.3.b.i a member of the Association's Management Committee;
 - 12.3.b.ii a member of the Association;
 - 12.3.b.iii another person
- 12.4 The Management Committee may appoint and remove the Association's Secretary at any time.

13.0 The membership of management committee

- 13.1 The Management Committee of the Association shall consist of a president, vice-president, secretary and treasurer plus five members of the Association either elected or appointed at any general meeting -or from time to time may from time to time elect or appoint.
- 13.2 The Management Committee must be elected from members of the Association. The membership of the Management Committee may have two but no more than three representatives from each discipline. All Disciplines will be represented as equally as possible across the members of the committee.
- 13.3 The Management Committee may from time to time determine the tasks to be performed by any of its members and may give new titles to the person performing any such tasks in lieu of the titles, president, vice-president, secretary, treasurer or management committee member but so that at all times there is a person or persons responsible for performing tasks ordinarily carried out by a president, secretary and treasurer.
- 13.4 It is intended that every member of the Management Committee will hold office for a period of two (2) years.
- 13.5 Every member of the Management Committee who retires from office after two (2) years will be eligible for nomination and re-election at the time of the election. No member may serve in the same position on the management committee for more than two consecutive terms unless the member holds a specialist skill required for the Committee to carry out its duties under the Associations Incorporation Act 1981 and for which there are no other member with the required skills willing to nominate for the vacancy.-
- 13.6 At every second AGM of the Association occurring in an even year, commencing with the AGM in 2010, the President, the Secretary, and two or three of the general members of the Management Committee at the time shall retire from office.
- 13.7 At every second Annual General Meeting ("AGM") of the Association occurring in an odd year, commencing with the AGM in 2011 the Vice President, Treasurer, and two or three general members of the Management Committee at the time shall retire from office.

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- 13.8 Employees of the Association ~~can not may~~ be a member of the Management Committee ~~unless they are a Life Member and if they~~ work less than 10 hours paid work per week for ~~MGI~~the Association and represent a pillar. The employee must be approved by the outgoing management committee ~~to be approved~~ for a position on the incoming management committee. A maximum of two employees may hold positions on the Management Committee and shall be ineligible to vote on decisions that directly influence their employment conditions whether favourable or unfavourable.
- 13.9 If an employee is also a member due to being a parent, guardian, carer or proxy representative they will have the voting rights of an ordinary member.
- 13.10 Ex-officio membership of the Management Committee will be granted to each head coach of MAG, WAG, ~~and~~ Trampoline, Acrobatics or other disciplines, or their nominated representative and, the Association Administrator. Ex-officio members of the Management Committee are entitled to the privileges afforded to an elected member of the Management Committee but ~~does~~ not have voting rights at a Management Committee meeting.

14.0 Electing the management committee

- 14.1 A member of the Management Committee may only be elected as follows:
- 14.1.a Any two members of the Association may nominate any other member (the "candidate") to serve as a member of the Management Committee except that no two members of one family may hold positions on the executive of the committee.
- 14.1.b The nomination must be
- 14.1.b.i in writing, and
- 14.1.b.ii signed by the candidate and the members nominating him or her, and
- 14.1.b.iii given to the ~~s~~Secretary at least fourteen days before the annual general meeting at which the election is to be held.
- 14.1.c Each member present at the annual general meeting, who is entitled to vote, may vote for any number of candidates not more than the number of vacancies. This is intended to cover the situation where a single secret ballot is held to determine the people to fill multiple vacancies on the management committee. (e.g. ~~Ww~~where there are six nominations for four vacancies.).
- 14.1.d If at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting
- 14.2 A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the Association for at least seven days immediately ~~preceeding~~preceding the annual general meeting.
- 14.3 If required by the Management Committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

15.0 Resignation or removal from office of management committee member

- 15.1 A Management Committee member may resign from the committee by giving written notice of resignation to the secretary.

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15.2 The resignation takes effect on:

15.2.a The day and at the time the notice is received by the secretary; or.

15.2.b If a later date is specified in the notice – the later day.

15.3 A member may be removed from office at a general meeting of the Association if a majority of the members present at the meeting vote in favour of removing the member.

15.4 Before a vote of members is taken about 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.

15.5 A member has no right of appeal against the member's removal from office under this section.

16.0 Vacancies on Management Committee

16.1 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.

16.2 The continuing members of the Management Committee may act despite a casual vacancy in the Management Committee.

16.3 However, if the number of 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:

16.3.a Increase the number of Management Committee members to the number required for a quorum; or

16.3.b Call a general meeting of the association.

17.0 Functions of the Management Committee

17.1 Subject to these rules or a resolution of the Association members carried at a general meeting, the Management Committee:

17.1.a has the general control and management of the administration of the affairs, property and funds of the Association, and

17.1.b has the authority to interpret the meaning of these rules and any matter relating to the Association on which these rules are silent.

17.2 The Management Committee may exercise all the powers of the Association:

17.2.a to borrow or raise or secure the payment of money in a way the Association members decide; and

17.2.b to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Association's property, both present and future; and

17.2.c to purchase, redeem or pay off any such securities issued; and

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- 17.2.d to borrow amounts from members and pay interest on the amounts borrowed; and
 - 17.2.e to mortgage or charge the whole or part of its property, and
 - 17.2.f to issue debentures and other securities, whether outright or as a security for any debt, liability or obligation of the Association; and
 - 17.2.g to provide and pay off any such securities, and
 - 17.2.h to invest in a way the members of the Association may from time to time determine.
- 17.3 For sub-section (2)(d) [of this section](#), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by:
- 17.3.a the financial institution for the Association; or
 - 17.3.b if there is more than 1 financial institution for the Association – the financial institution nominated by the Association.

18.0 Meetings of a Management Committee

- 18.1 Subject to subsections (2) to (16) [of this section](#), the ~~m~~Management ~~e~~Committee may meet and conduct its proceedings as it considers appropriate.
- 18.2 The Management Committee [is recommended to meet at least monthly but must meet at least once every calendar month ten times annually](#) to exercise its functions.
- 18.3 The date for the next Management Committee meeting must be set prior to the close of each meeting
- 18.4 Notice of a meeting is to be given in the way decided by the committee.
- 18.5 If the ~~s~~Secretary receives a written request signed by 33% of the Management Committee members, the secretary must call a meeting of the committee.
- 18.6 A request for a general meeting must state
 - 18.6.a the reasons why such special meeting is being called; and
 - 18.6.b the business to be conducted at the meeting.
- 18.7 At every meeting of the Management Committee, more than 50% of the members elected or appointed to the Management Committee, as at the close of the last general meeting of the members shall form a quorum.
- 18.8 The Management Committee may meet together and regulate its proceedings as it thinks fit; ~~Provided that q~~Questions arising at any meeting of the Management Committee shall be decided by a majority of votes. The chairperson shall have no right to vote except in the case of an equality of votes, in which case the chairperson shall have a casting or deciding vote.
- 18.9 A member of the Management Committee shall not vote in respect of any contract or proposed contract, ~~or~~ where there is a real or perceived conflict of interest in a matter relating to Association, or any matter arising thereout, and if ~~he~~ [either is -does so a](#) vote [this](#) vote shall not be counted.

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18.10 Not less than three ~~days-notice~~days' notice shall be given to members of the Management Committee of a special meeting of the Management Committee.

18.11 A notice of a special meeting must state:

18.11.a the day, the time and place of the meeting; and

18.11.b the business to be conducted at the meeting.

18.12 The ~~P~~resident ~~is the chairperson and~~; if there is no president or if the president is not present within 10 minutes after the time fixed for a Management Committee meeting, the vice-president is to preside as chairperson at the meeting.

18.13 If the president and vice-president are absent from a Management Committee meeting, the members may choose 1 of their own to preside as chairperson at the meeting.

18.14 If a quorum is not present within 30 minutes after the time fixed for a Management Committee meeting called on the request of committee members, the meeting lapses.

18.15 If a quorum is not present within 30 minutes after the time fixed for a Management Committee meeting called other than on the request of committee members, the meeting is to be adjourned to –

18.15.a The same day, time and place in the next week; or

18.15.b a day, time and place decided by the committee

18.16 If, at the adjourned meeting mentioned in subsection (15), a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.

19.0 Delegation of Management Committee powers

19.1 The Management Committee may delegate any of its powers to a sub-committee consisting of the Association members considered appropriate by the committee.

19.2 A sub-committee may only exercise delegated powers in the way the Management Committee decides.

19.3 A sub-committee may elect a chairperson ~~ofat~~ its meetings.

19.4 If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.

19.5 A sub-committee may meet and adjourn as it considers appropriate.

19.6 A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

19.7 ~~The A~~ sub-committees shall report back to the ~~m~~Management ~~c~~Committee as soon as possible after all meetings and a copy of the minutes of the meeting of the sub-committee shall be forwarded to the ~~s~~Secretary of the Association. No decision of any sub-committee shall be binding until confirmed by a majority of the Management Committee.

20.0 Acts not affected by defects or disqualification

20.1 An act performed by the Management Committee, a sub-committee or a person acting as a member of the Management Committee is taken to have been validly performed.

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20.2 Sub-section (1) [of this section](#) applies even if the act was performed when:

20.2.a There was a defect in the appointment of a member of the Management Committee, sub-committee, or person acting as a member of the Management Committee, or

20.2.b A Management Committee member, sub-committee member, or person acting as a member of the Management Committee, was disqualified from being a member

21.0 Resolutions of Management Committee without meeting

21.1 A written resolution signed by each member of the Management Committee for the time being entitled to receive notice of a committee meeting is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.

21.2 A resolution mentioned in subsection (1) [of this section](#) may consist of several documents in like form, each signed by 1 or more members of the committee.

22.0 First general meeting

~~22.1 The first general meeting must be held not less than 1 month, and not more than 3 months, after the day the Association is incorporate~~

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~~22.2 The Management Committee must decide where the meeting is to be held.~~

~~22.3 The business to be conducted at the first general meeting must include the appointment of an auditor~~

23.0 First annual general meeting

~~23.1 The first annual general meeting must be held within 18 months after the day the Association is incorporated.~~

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24.0 Subsequent annual general meetings

~~24.1~~ ~~22.1~~ Each subsequent annual general meeting must be held

~~24.1.a~~ ~~22.1.a~~ At least once each year; and

~~24.1.b~~ ~~22.1.b~~ Within 3 months after the end of the Association's previous financial year.

25.0 Business to be conducted at annual general meetings

~~25.1~~ ~~23.1~~ The following business must be transacted at every annual general meeting:

~~25.1.a~~ receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the Association for the last financial year;

~~23.1.a~~

~~25.1.b~~ ~~23.1.b~~ receiving the auditor's report on the financial affairs of the Association for the last financial year.

~~25.1.c~~ ~~23.1.c~~ presenting the audited statements to the meeting for adoption;

~~25.1.d~~ ~~23.1.d~~ the receiving of other reports such as coaching and administration;

~~25.1.e~~ ~~23.1.e~~ electing members of the Management Committee;

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25.1.f23.1.f appointing an auditor [for the subsequent year](#);

26.024.0 Special general meeting

26.124.1 The Secretary may only call a special general meeting by giving each member a notice of the meeting within 14 days after

26.1.a24.1.a being directed to do so by the Management Committee, or

26.1.b24.1.b being given a written request signed by:

26.1.b.i24.1.b.i at least 33% of the members of the Association presently on the Management Committee; or

26.1.b.ii24.1.b.ii at least the number of ordinary members of the Association equal to double the number of members of the Association presently on the Management Committee plus 1; or

26.1.b.iii24.1.b.iii being given a written notice of an intention to appeal against the decision of the Management Committee

26.1.c24.1.c to reject an application for membership; or

26.1.e.i24.1.d to terminate a [person's](#) membership

26.224.2 A request mentioned in [subsection subsection-26.\(1\).\(b\) of this section](#) must state:

26.2.a24.2.a Why the special general meeting is being called, and

26.2.b24.2.b The business to be conducted at the meeting.

27.025.0 Notice of meeting

27.125.1 The [Secretary](#) may call a general meetings of the Association

27.225.2 The [Secretary](#) must give at least 14 [days notice](#) of the meeting to each Association member.

27.325.3 The Management Committee may decide the way in which the notice must be given.

27.425.4 However, notice of the following meetings must be given in writing:

27.4.a25.4.a A meeting called to hear and decide the appeal of a member against the rejection or termination of the member's membership by the Management Committee; or

27.4.b25.4.b A meeting called to hear and decide a proposed special resolution of the Association

27.525.5 A notice of a general meeting must state the business to be conducted at the meeting.

28.026.0 Quorum for, and adjournment of, general meetings

28.126.1 Subject to subsection (5) [of this section](#), at a general meeting the number of members equal to double the number of members of the Association presently on the Management Committee plus 1 form a quorum.

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28.226.2 No business may be conducted at a general meeting unless a quorum of members is present when the meeting proceeds to business.

28.326.3 If quorum is not present within 30 minutes after the time fixed for a general meeting called on the request of members of the Management Committee or the Association, the meeting lapses.

28.426.4 If a quorum is not present within 30 minutes after the time fixed for a general meeting called other than on the request of members of the Management Committee or the Association, the meeting is to be adjourned to -

28.4.a26.4.a the same time and place in the next week, or

28.4.b26.4.b a day and time and place decided by the Management Committee

28.526.5 If, at an adjourned meeting, a quorum under sub-section (28.1) of this section is not present within 30 minutes after the time fixed for the meeting, the members present form a quorum.

28.626.6 The chairperson may, with the consent of any meeting at which a quorum is present, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.

28.726.7 If a meeting is adjourned under subsection (28.6) of this section, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

28.826.8 The Secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless the meeting is adjourned for at least 30 days.

28.926.9 If a meeting is adjourned for at least thirty days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

28.1026.10 In this rule "Member" includes a person attending as a proxy or representing a corporation that is a member.

29.027.0 Conduct at meetings

29.127.1 Subject to these rules, at every general meeting:

29.1.a27.1.a the President shall preside as chairperson, or if there is no president, or if he is they are not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, the vice-president shall be the chairperson; and

29.1.b27.1.b 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 meeting; and

29.1.c27.1.c the chairperson must conduct the meeting in a proper and orderly way; and

29.1.d27.1.d every question, matter or resolution must be decided by a majority of votes of the members present; and

29.1.e27.1.e every member present shall be entitled to one vote and in the case the votes are equal the chairperson has the casting vote as well as a primary vote; and

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- 29.1.f27.1.f a member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting; and
- 29.1.g27.1.g voting may be by show of hands or a division of members, unless at least 20% of the members present demand a secret ballot; and
- 29.1.h27.1.h if a secret ballot is held, the chairperson must appoint two members to conduct the secret ballot in the way the chairperson decides, and
- 29.1.i27.1.i the result of the secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held; and
- 29.1.j27.1.j a member may vote in person or by proxy or by attorney and:
- 29.1.j.i27.1.j.i on a show of hands every person present, who is a member or a representative of a member, shall have one vote; and
- 29.1.j.ii27.1.j.ii in a secret ballot every member present in person or by proxy or by attorney or other duly elected representative, shall have one vote; and
- 29.1.k27.1.k the maximum number of proxy votes that can be held by any individual is limited to three; and
- 29.1.l27.1.l an instrument appointing a proxy shall be in writing; and
- 29.1.m27.1.m if the appointor is an individual – signed by the appointor or the appointor's attorney duly authorized in writing, or
- 29.1.n27.1.n if the appointer is a corporation, either under seal or signed by a properly authorised officer or attorney of the corporation; and
- 29.1.o27.1.o A proxy may be a member of the Association or another person; and
- 29.1.p27.1.p The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot; and
- 29.1.q27.1.q If someone wants to give a member an opportunity to vote for or against a resolution, the instrument appointing a proxy must be in ~~the following or~~ like form ~~to~~ [Appendix A](#); and

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MACKAY GYMNASTICS INC INSTRUMENT APPOINTING A PROXY

I, _____ of _____

being a member of the above named Association,

appoint _____ of _____

as my proxy to vote for me on my behalf at the (annual) general meeting of the Association to be held

on the _____ day of _____, 20_____

and, at any adjournment thereof.

Signed this _____ day of _____, 20_____

_____(Signature)

~~This form to be used * in favour or /against the resolution.~~

~~*Strike out which is not desired (Unless otherwise instructed, the proxy may vote as he considers appropriate).~~

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29.1.r27.1.r Each instrument appointing a proxy shall be given to the sSecretary before the start of the meeting or adjournment meeting at which the person named in the instrument proposes to vote; and

29.1.s27.1.s ~~t~~The sSecretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Management Committee meeting and general meeting are entered in a minute book (either physical or electronic); and

29.1.t27.1.t ~~t~~The sSecretary must ensure the minute book for each general meeting is open for inspection at all reasonable times by any financial member who previously applied to the sSecretary for the inspection.

29.2.27.2 To ensure the accuracy of the recording of such minutes,

29.2.a27.2.a the minutes of each Management Committee meeting shall be signed by the chairperson of the meeting, or the chairperson of the next Management Committee meeting, verifying their accuracy; and

29.2.b27.2.b 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

27.2.c 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; and.

29.2.e27.2.d Electronic signing of the minutes is acceptable.

30.028.0 By-laws

30.128.1 The Management Committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Association.

30.228.2 A by-law may be set aside by a vote of members at a general meeting of the Association.

31.029.0 Alteration of rules

31.129.1 Subject to the Associations Incorporation Act 1981, these rules may be amended, rescinded or added to by a special resolution carried at a general meeting.

31.229.2 However, an amendment, repeal or addition is valid only if it is registered by the chief executive (or delegated authority) by submitting the updated Constitution and details of the Resolution to the Office of Fair Trading (or equivalent authority in Queensland).

32.030.0 Common Seal

32.130.1 The Management Committee must ensure that the Association has a common seal

32.230.2 The common seal must be

32.2.a30.2.a Kept secure by the Management Committee

32.2.b30.2.b used only by authority of the Management Committee

32.330.3 Every instrument to which the seal is attached must be signed by a member of the Management Committee and countersigned by:

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- 32.3.a30.3.a the ~~s~~Secretary; or
- 32.3.b30.3.b another member of the Management Committee; or
- 32.3.c30.3.c someone appointed by the Management Committee.

33.031.0 Funds and accounts

- 33.131.1 The funds of the Association must be kept in an account in the name of the Association in a financial institution decided by the Management Committee.
- 33.231.2 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Association.
- 33.331.3 All moneys shall be banked as soon as practicable after receipt.
- 33.431.4 All amounts shall be paid by any two of the following
 - 33.4.a31.4.a president,
 - 33.4.b31.4.b secretary,
 - 33.4.c31.4.c treasurer; or
 - 33.4.d31.4.d other member authorized by the Management Committee for the purpose.
- ~~33.5 Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupments which may be open.~~
- 33.631.5 The Management Committee shall determine the maximum amount of petty cash which shall be managed by the Club administrators kept on the imprest system.
- 31.6 A budget must be prepared in conjunction with the Club Manager (or similar position) and recommended by the Treasurer to the Management Committee for approval by the end of September prior to the subsequent financial year.
- 31.7 The Treasurer must provide to the Management Committee after each month end a statement of income and expenditure and assets and liabilities to ensure appropriate decisions can be made.
- 33.731.8 All expenditure to be incurred outside of the approved budget must be approved or ratified at a Management Committee meeting.
- 33.831.9 The ~~t~~Treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared:
 - 33.8.a31.9.a the income and expenditure for the financial year just ended,
 - 33.8.b31.9.b the Association's assets and liabilities at the close of the year;
 - 33.8.c31.9.c the mortgages, charges and securities affecting the property of the Association at the close of that year.
- 33.931.10 The auditor must examine the statements ~~s~~ prepared under subsection 33.1.9 and present a report about it to the ~~S~~ecretary before the next annual general meeting following the financial year for which the audit was made.
- 33.1031.11 The income and property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers.

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34.032.0 Documents

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

35.033.0 Financial year

35.133.1 The financial year of the Association shall close on 31 December in each year.

36.034.0 Distribution of surplus assets to another entity

36.134.1 This section applies if the Association:

36.1.a34.1.a Is wound up under part 10 of the Act; and

36.1.b34.1.b It has surplus assets (as defined by section 92(3) of the Act)

36.234.2 The surplus assets must not be distributed among the associated members

36.334.3 the surplus assets must be given to another entity

36.3.a34.3.a Having objects similar to the Association's objects; and

36.3.b34.3.b The rules of which prohibit the distribution of the entity's income and assets to its members.

37.035.0 Interpretation

37.135.1 Whenever the context so admits or requires the masculine, feminine and neuter genders shall be interchanged and each shall extend to include all other gender or genders as the case may require and the singular number shall extend to and include the plural number and the plural number the singular number.

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38.036.0 Document Administration

38.136.1 Revisions and amendments

Date	Version	Author/Reviewer	Description of changes
17/11/2025	2.0	CJ / Committee	Change format to auto numbering
18/02/2026	2.1	CJ / Committee	Major review of document
10/05/2026	2.2	CJ / Committee	Final version for approval

38.236.2 Approvals

Date	Version	Approved by

38.336.3 Review

The document may be reviewed from time to time by the Management Committee and any changes must be made in accordance with the requirements in this document.

38.436.4 Distribution

The approved version of this document is to be stored [xxxon the Club Sharepoint database](#) and made available to the members on the Website of Mackay Gymnastics Inc.

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Appendix A

MACKAY GYMNASTICS INC INSTRUMENT APPOINTING A PROXY

I, _____ of

being a member of the above-named Association,

appoint _____ of _____

as my proxy to vote for me on my behalf at the (annual) general meeting of the Association to be held

on the _____ day of _____, 20 _____

and, at any adjournment thereof.

Signed this _____ day of _____, 20 _____

_____. (Signature)

This form to be used * in favour or /against the resolution.

*Strike out which is not desired (Unless otherwise instructed, the proxy may vote as he considers appropriate).

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