

VICTORIA POLICE SKI CLUB

AMENDED RULES FOR AN INCORPORATED ASSOCIATION  
DATED MAY, 2001

STATEMENT OF PURPOSES OF VICTORIA POLICE SKI CLUB INCORPORATED A.B. No. 92794931134

The Club's purposes are as follows:

1. To promote alpine sports among its members;
2. To take steps to promote knowledge, skill and safety in the sport of skiing and alpine sports activities;
3. To enter into contracts, agreements or arrangements to further the above purposes;
4. To participate where necessary in the administration of the Emergency Management Act; and

1. NAME

The name of the incorporated association is VICTORIA POLICE SKI CLUB (INCORPORATED) (in these rules called "the Association").

2. DEFINITIONS

2.1 In these rules, unless the contrary intention appears:

"Committee" means the Committee of Management of the Association;

"Financial Year" means the year ending on 31st March;

"General Meeting" means a general meeting of members convened in accordance with Rule 11;

"Member" means a member of the Association;

"Ordinary Member of the Committee" means a member of the Committee who is not an officer of the Association under Rule 21;

"The Act" means the Association Incorporation Act 1981;

"The Regulations" means Regulations under the Act.

2.2 In these Rules, a reference to the secretary of an Association is a reference

- (a) Where a person holds office under these Rules as Secretary of the Association - to that person; and
- (b) In any other case, to the public officer of the Association.

2.3 Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Interpretation Legislation Act and the Act as in force from time to time.

3. MEMBERSHIP

3.1 The Association shall consist of ordinary members, associate members, foundation members, associate foundation members., honorary life members and associate honorary life members. The total number of members shall not exceed a number as determined from time to time by the Committee.

3.1.1 Serving members of the Victoria Police Force and former members of the Victoria Police Force may become ordinary members.

3.1.2 Any natural person who is not a member of the Victoria Police Force may be enrolled as an associate member of the Association.

- 3.1.3 On the recommendation of the Committee an ordinary member may be elected as an honorary life member or an associate member may be elected as an associate honorary life member at any General Meeting of the Association and shall thereafter be entitled to all privileges of membership without paying annual subscriptions, levies, competition fees or other dues. If honorary life membership is awarded to an individual who is part of a family membership, the benefits of the honorary life membership flow on to the remainder of the family. In the event a family is dissolved, the honorary life membership is retained by the individual to whom the honorary life membership was awarded.
- 3.1.4 Foundation members and associate foundation members are members and their spouses who have loaned not less than One thousand dollars (\$1,000.00) to the Association such loan not having been withdrawn from the Association until directed by the Committee. Foundation members and associate foundation members are entitled to preferential bookings for the term of their financial membership and free accommodation on a casual basis when their loan has been reimbursed.
- 3.1.5 A family membership is available. This type of membership is available to family groups which comprise one or two adults with or without dependant children (who have not reached 18 years of age) and living in a family situation.
- 3.1.6 A single membership shall consist of an individual person.

#### NOMINATIONS FOR MEMBERSHIP

- 3.2 A person who is not a member of the Association at the time of the incorporation of the Association (or who was such a member at that time but has ceased to be a member) shall not be admitted to membership:
- 3.2.1 unless nominated as provided in sub-clause (3); and
- 3.2.2 admission as a member is approved by the Committee.
- 3.3 A nomination of a person for membership of the Association:
- 3.3.1 shall be made in writing in a form determined by the committee; and
- 3.3.2 shall be lodged with the Secretary of the Association.
- 3.4 As soon as is practicable after the receipt of a nomination, the Secretary shall refer the nomination to the Committee.
- 3.5 Upon a nomination being referred to the Committee, the Committee shall determine whether to approve or to reject the nomination.
- 3.6 Upon a nomination being approved by the Committee, the Secretary shall, with as little delay as possible, notify the nominee in writing that such membership of the Association is approved and request payment within the period of 28 days after receipt of the notification of the sum payable in accordance with these Rules as the entrance fee and the first year's annual subscription.
- 3.7 The Secretary shall, upon payment of the amounts referred to in the sub-clause (6) within the period referred to in that. sub-clause, enter the nominee's name in the register of members and, upon the name being so entered, the nominee becomes a member of the Association.
- 3.8 A right, privilege, or obligation of a person by reason of membership of the Association:
- 3.8.1 is not capable of being transferred or transmitted to another person;
- 3.8.2 terminates upon the cessation of membership whether by death, resignation or otherwise- and
- 3.8.3 terminates if annual subscription have not been received by the treasurer within 12 months of becoming due.

- 3.8.4 Leave of absence may be sought by applying to the committee in writing.
- 3.9 The committee, at its discretion, may allow a member whose membership would otherwise be terminated under clause 3.8.3, to remain a member upon the payment of arrears subscriptions and/or payment of the entrance fee and current annual subscriptions.

#### 4. FEES PAYABLE BY MEMBERS

- 4.1 The entrance fee shall be determined by the Committee.
- 4.2 The annual subscription shall be fixed by the Committee from time to time and is payable in advance on or before the 1st April each year.
- 4.3.1 The Committee may impose per capita levies on all members not exceeding in total the sum of ten dollars per annum per member and notwithstanding this rule the Association in General Meeting may authorise the imposition of levies in excess of this amount.
- 4.3.2 When imposing a levy the Committee shall state the purpose of the levy and the due date
- 4.3.3 If a levy is unpaid after the due date the Committee may declare all defaulting members unfinancial.
- 4.3.4 Any member may enter into an agreement with the Committee and advance or loan the Association an amount of money which shall not be less than fifty dollars. The conditions and terms of such advance or loan shall be determined by the Committee and shall include the period of the advance or loan and any applicable conditions of refund payment and/or interest payable as the case may be.
- 4.3.5 Sub-clause 4.3.4 shall not negate alter extend or otherwise affect any advances, loans or agreements accepted or entered into by the Committee prior to the inclusion of clause 4.3.4 as an amendment to this Constitution as verified by the Minutes of the meeting concerned.

#### 5. REGISTER OF MEMBERS

- 5.1 The Secretary, or nominated club member, shall keep and maintain a register of members in which shall be entered the full name, address, and membership status and the register shall be available for inspection by members at the address of the secretary or nominated club member.

#### 6. RESIGNATION OF MEMBERS

- 6.1 A member of the Association who has paid all moneys due and payable to the Association may resign from the Association by first giving one month's notice in writing to the Secretary of intention to resign and upon the expiration of that period of notice, the member shall cease to be a member.
- 6.2 Upon the expiration of a notice given under sub-clause (1), the Secretary shall make in the register of members, an entry recording the date on which the member by whom the notice was given, ceased to be a member.

#### 7. DISCIPLINE

- 7.1 Subject to these rules, the Committee may by resolution:
  - 7.1.1 expel a member from the Association;
  - 7.1.2 suspend a member from membership of the Association for a specified period; or
  - 7.1.3 fine a member in accordance with the Regulations if the Committee is of the opinion that the member
  - 7.1.4 has refused or neglected to comply with these rules; or
  - 7.1.5 has been guilty of unfair practices, discreditable conduct, misbehaviour or any action detrimental to the interests of the Association.
- 7.2 A resolution of the Committee under sub-clause (1):
  - 7.2.1 does not take effect unless the Committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the member of a notice under sub-clause (3) confirms the resolution in accordance with this clause; and
  - 7.2.2 where the member exercises a right of appeal to the Association under this clause does not take effect unless the Association confirms the resolution in accordance with this clause.
- 7.3 Where the Committee passes a resolution under sub-clause 7.1, the Secretary shall, as soon as practicable, cause to be served on the member a notice in writing:
  - 7.3.1 setting out the resolution of the Committee and the grounds on which it is based;
  - 7.3.2 stating that the member may address the Committee at a meeting to be held not earlier than 14 and not later than 28 days after service of the notice;
  - 7.3.3 stating the date, place and time of that meeting;
  - 7.3.4 informing the member that he may do one or more of the following:
    - 7.3.4.1 Attend that meeting;
    - 7.3.4.2 Give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution; and
    - 7.3.4.3 Not later than 24 hours before the date of the meeting, lodge with the Secretary a notice to the effect that he wishes to appeal to the Association in General Meeting against the resolution.
- 7.4 At a meeting of the Committee held in accordance with sub-clause 7.2, the Committee:
  - 7.4.1 shall give to the member an opportunity to be heard;
  - 7.4.2 shall give due consideration to any written statement submitted by the member; and
  - 7.4.3 shall by resolution determine whether to confirm or to revoke the resolution.
- 7.5 Where the Secretary receives a notice under sub-clause 7.3, the secretary shall notify the Committee and the Committee shall convene a General Meeting of the Association to be held within twenty-one days after the date on which the Secretary received the notice.
- 7.6 At a General Meeting of the Association convened under sub-clause 7.5:
  - 7.6.1 no business other than these question of the appeal shall be transacted;
  - 7.6.2 the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;

- 7.6.3 the member shall be given an opportunity to be heard; and
- 7.6.4 the members present shall vote-by secret ballot on the question whether the resolution should be confirmed or revoked.
- 7.7 If at the General Meeting:
  - 7.7.1 two-thirds of the members vote in person in favour of the confirmation of the resolution, the resolution is confirmed, and
  - 7.7.2 in any other case, the resolution is revoked.

## 8. ANNUAL GENERAL MEETING

- 8.1 The Association shall in each calendar year convene an Annual General Meeting of its members within two months of the 31st of March.
- 8.2 The Annual General Meeting shall be held on such a day as the Committee determines.
- 8.3 The Annual General Meeting shall be specified as such in the notice convening it.
- 8.4 The ordinary business of the Annual General Meeting shall be:
  - 8.4.1 to confirm the minutes of the last preceding Annual General Meeting and of any General Meeting held since that meeting;
  - 8.4.2 to receive from the Committee reports upon the transactions of the Association during the last preceding financial year;
  - 8.4.3 to elect officers of the Association and the wary members of the Committee; and
  - 8.4.4 to receive and consider the statement submitted by the Association in accordance with section 30 (3) of the Act.
- 8.5 The Annual General Meeting may transact special business of which notice is given in accordance with these Rules.
- 8.6 The Annual General Meeting shall be in addition to any other General Meetings that may be held in the same year.

## 9. GENERAL MEETINGS

- 9.1 All General Meetings other than the Annual General Meeting shall be called General-Meetings.
- 9.2 The Committee may, whenever it thinks fit, convene a General Meeting of the Association and, where, but for this sub-clause, more than fifteen months would lapse between Annual General Meetings, shall convene a General Meeting before the expiration of that period.
- 9.3 The Committee shall, on the requisition in writing of six members convene a General Meeting of the Association.
- 9.4 The requisition for a General Meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.

- 9.5 If the Committee does not cause a General Meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the members making the requisition, or any of them, may a General Meeting to be held not later than three months after that date.
- 9.6 A General Meeting convened by members in pursuance of these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the members incurring the expenses.
- 9.7 The Secretary of the Association shall, at least 14 days before the date fixed for holding a General Meeting of the Association, cause to be sent to each member of the Association at the member's address appearing in the register of members, a notice by prepaid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 9.8 No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- 9.9 A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next General Meeting after the receipt of the notice.

## 10. QUORUM OF GENERAL MEETINGS

- 10.1 All business that is transacted at a General Meeting and all business that is transacted at the Annual General Meeting with the exception of that specially referred to in these Rules as being the ordinary business of the Annual General Meeting shall be deemed to be special business.
- 10.2 No item of business shall be transacted at a General Meeting unless a quorum of members entitled under these Rules to vote is present during the time when the meeting is considering that item.
- 10.3 Ten members personally present (being members entitled under these rules to vote at a General Meeting) shall constitute a quorum for the transaction of the business of a General Meeting.
- 10.4 If within half an hour after the appointed time or the commencement of a General Meeting, a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being no less than 5) shall be a quorum.

## 11. THE CHAIR

- 11.1 The President, or if absent, the vice-president, shall preside as Chairperson at each General Meeting of the Association.
- 11.2 If the President and the vice-president are absent from a General Meeting, the members present shall elect one of their number to preside as Chair at the meeting.
- 11.3 The Chair 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 shall be transacted at a adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 11.4 Where a meeting is adjourned for fourteen days or more, a like notice of the adjourned meeting shall be given as in the case of the General Meeting.

11.5 Except as provided in sub-clause 14.1 and 14.2, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

## 12. VOTING AT GENERAL MEETINGS

12.1 A question arising at a General Meeting of the Association shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chair that a resolution has, on a show of hands, 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 Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

12.2 Upon any question arising at a General Meeting of the Association, a member has one vote only.

12.3 All votes shall be in a manner described by the committee.

12.4 In the case of an equality of voting on a question, the Chair~~person~~ of the meeting is entitled to exercise a second or casting vote.

12.5 In family memberships involving two adults, each adult shall have one vote. A family membership involving one adult shall entitle the adult to one vote.

12.6 Dependant family members are not entitled to vote unless they hold a membership in their own right.

12.7 If at a meeting a poll on any question is demanded by not less than three members, it shall be taken at that meeting in such manner as the Chair~~person~~ may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.

12.8 A poll that is demanded on the election of a Chair or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chair may direct.

12.9 A member is not entitled to vote at any General Meeting unless all moneys due and payable by the member to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

## 13. COMMITTEE OF MANAGEMENT

13.1 The affairs of the Association shall be managed by a Committee of Management constituted in Rule 13.11

13.2 The Committee shall control and manage the business and affairs of the Association;

13.3 The Committee may, subject to these Rules, the Regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by General Meetings of the members of the Association, and;

13.4 subject to these Rules, the Regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.

13.5 The officers of the Association shall be

13.5.1 a President;

13.5.2 a vice-president;

- 13.5.3 a Treasurer;
- 13.5.4 a Secretary;
- 13.5.5 a Captain;
- 13.5.6 a Vice Captain; ~~and~~
- 13.5.7 an Assistant Secretary; and
- 13.5.8 a Booking Officer.
- 13.6 Only ordinary members of the Association are eligible for the offices of President.
- 13.7 The provisions of Rule 14 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause 13.5.
- 13.8 Each officer of the Association shall hold office until the Annual General Meeting next after the date of election but is eligible for re-election.
- 13.9 In the event of a casual vacancy in any office referred to in sub-clause 13.5 the Committee may appoint one of its members (eligible for that office under sub-clause 13.6) to the vacant office and the member so appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of this appointment.
- 13.10 There shall be one qualified Auditor who is not a member of the Police Force or in any way associated with the Administration of the Association and shall be appointed at the Annual General Meeting of the Club.
- 13.11 Subject to section 23 of the Act, the Committee shall consist of the officers of the Association; and three or four committee members elected from members of the Association. each of whom shall be elected at the Annual General Meeting of the Association in each year.
- 13.12 At least half of the members of the Committee must be ordinary members of the Association.
- 13.13 Each ordinary member of the Committee shall, subject to these Rules, hold office until the Annual General Meeting next after the date of election but is eligible for re-election.
- 13.14 In the event of a casual vacancy occurring in the office of a member of the Committee, the Committee may appoint a member of the Association (subject to sub-clause 13.12) to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the Annual General Meeting next following the date of his appointment.

#### 14. NOMINATIONS OF CANDIDATES FOR ELECTION AS OFFICERS OF ASSOCIATION

- 14.1 Nominations of candidates for election as officers of the Association or as members of the Committee:
- 14.2 shall be made in writing, signed by two members of the Association and accompanied by the written consent of candidate (which may be endorsed on the form of nomination); and
- 14.3 shall be delivered to the Secretary of the Association not less than seven days before the date fixed for the holding of the Annual General Meeting; or
- 14.4 may be made at the Annual General Meeting by two members of the Association with the consent of the candidate.

- 14.5 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- 14.6 If the number of nominations received is equal to the number of vacancies to be filled, persons nominated shall be deemed to be elected.
- 14.7 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- 14.8 The ballot for the election of officers and members of the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.

## 15. FAILURE TO ATTEND COMMITTEE

- 15.1 For the purposes of these Rules, the office of an officer of the Association or of any member of the Committee becomes vacant if the officer or member:
  - 15.2 ceases to be a member of the Association;
  - 15.3 becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
  - 15.4 resigns from office by notice in writing given to the Secretary; or
  - 15.5 fails to attend three consecutive meetings without being granted leave of absence by the Committee.
- 15.6 The Committee shall meet at regular intervals as determined by the Committee at such place and such times as the Committee may determine.
- 15.7 Special meetings of the Committee may be convened by the President or by any three of the members of the Committee.
- 15.8 Notice shall 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 shall be transacted at such a meeting.

## 16. QUORUM OF COMMITTEE

- 16.1 Any five members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- 16.2 No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week or a date determined by the President unless the meeting was a special meeting in which case it lapses.

## 17. PROCEDURE AT COMMITTEE MEETINGS

- 17.1 At meetings of the committee:
  - 17.2 the President or , if absent, the vice-president shall preside; or

- 17.3 if the President and the vice-president are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.
- 17.4 Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- 17.5 Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person residing may exercise a second or casting vote.
- 17.6 Written notice of each committee meeting shall be served on each member of the Committee by delivering it to him at a reasonable time before the meeting or by sending it by prepaid post addressed to him at his usual or last known place of abode at least two business days before the date of the meeting.
- 17.7 Subject to sub-clause 16.1 the Committee may act notwithstanding any vacancy on the Committee.

## 18. MINUTES OF MEETING

- 18.1 The Secretary of the Association shall keep minutes of the resolutions and proceedings of each general meeting and each Committee meeting in a medium provided for that purpose together with a record of the names of persons present at Committee meetings and shall be a member ex officio of any sub-committee of the Committee.

## 19. TREASURER

- 19.1 The Treasurer of the Association:
- 19.2 shall collect and receive all moneys due to the Association and make all payments authorised by the Association; and
- 19.3 shall keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
- 19.4 The Treasurer shall within thirty days of the Annual General Meeting forward to the Chief Commissioner of Police a complete signed copy of the Balance Sheet and Profit & Loss Account of the Association.
- 19.5 The Treasurer shall in addition thereto prepare and submit to the auditor annually, a statement of receipts and expenditure of the club to end of the last preceding financial year and shall at all times follow the reasonable directions and act upon the requests of the auditor to the Association.
- 19.6 the Captain shall be the manager of any club team.
- 19.7 The accounts and books referred to in sub-clause 19.3 shall be available for inspection by members.

## 20. REMOVAL OF COMMITTEE MEMBER

- 20.1 The association in general meeting may by resolution remove any member of the committee before the expiration of the term of office and appoint another member instead to hold office until the expiration of the term of the first-mentioned member.

20.2 Where the member to whom a proposed resolution referred to in sub-clause 20.1 makes representations in writing to the Secretary or President of the Association (not exceeding thirty days) and requests that they be notified to the members of the Association, the Secretary or the President may send a copy of the representations to each member of the Association or, if they are not so sent, the member may require that they be read out at the meeting.

## 21. SIGNATORIES TO ACCOUNTS

All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two authorised members of the Committee.

## 22. COMMON SEAL

22.1 The common seal of the Association shall be kept in the custody of the Secretary.

22.2 The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of two authorised members of the Committee or of one member of the Committee and of the Public Officer of the Association.

22.3 These Rules and the Statement of Purposes of the Association shall not be altered except in accordance with the Act.

## 23. SERVICE OF NOTICES

23.1 A notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member's address shown in the Register of Members.

23.2 Where a document is properly addressed prepaid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

## 24. WINDING UP THE ASSOCIATION

24.1 In the event of the winding up or the cancellation of the incorporation of the Association the assets of the Association shall be disposed of in accordance with the provisions of Clause 27.

## 25. SECRETARY TO CONTROL RECORDS ETC.

25.1 Except as otherwise provided in these Rules, the Secretary shall keep in custody or under control all books, documents and securities of the Association.

## 26. SOURCE OF FUNDS

26.1 The funds of the Association shall be derived from entrance fees, annual subscriptions, donations, lodge accommodation fees and such other sources as the Committee determines.

## 27. DISSOLUTION OF CLUB

27.1 The members of the association may by resolution at an annual or general meeting and after at least seven days, prior notice of such intention has been given to each member in accordance with Rule 9.7 dissolve or determine the Association. The Association shall not be dissolved or determined unless such resolution be confirmed or passed by majority of three fourths of the members voting. The Committee shall forthwith or at such future date as shall be specified in a resolution proceed to realise the property of the Association, and after discharge of all liabilities the assets of the Association shall be distributed to Victoria Police Legacy and the Victoria Police Provident Fund and in a manner approved by the Chief Commissioner of Police, and upon completion of such distribution the Association shall be dissolved. No member of the Association shall benefit from such a distribution.

## 28. PATRONS

28.1 There may be patrons of the Association. This is a position of honour which may be granted by members in General Meeting.