

# **LACROSSE WA INCORPORATED.**

(Association #A0330013N)



Includes Amendments adopted November 1988  
Includes Amendments adopted November 2001  
Includes Amendments adopted 18 November 2002  
Includes Amendments adopted 22 July 2009  
Includes Amendments adopted 14 November 2011

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## 1. NAME

The name of the Association shall be Lacrosse WA Incorporated (hereinafter called 'the Association').

Name.

## 2. OBJECTS

The basic objects for which the Association is established are:

Objects.

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|-----|--|---|
| 2.1 | To advance and promote the games of men's & women's Lacrosse and to provide facilities therefore.  | Provide facilities.                           |
| 2.2 | To provide the facilities and environment for social contact between members and their friends and generally to afford to them all the usual privileges, benefits and conveniences of an association.  | Provide for social contact.                   |
| 2.3 | To arrange international and interstate Lacrosse matches and the proper representation of the State of Western Australia therein and in any other matches.   | Arrange International and Interstate matches. |
| 2.4 | To provide representation for the State of Western Australia at any international or interstate conferences or meetings directly or indirectly affecting the sport of Lacrosse.  | Represent the state at meetings.              |
| 2.5 | To promulgate and enforce in Western Australia the rules for playing Lacrosse and to settle disputes between members and affiliated clubs and associations and to take disciplinary action in respect to the breach or non observance of the said rules. | Create and enforce rules.                     |
| 2.6 | to keep members and affiliated clubs and associations informed of developments and news in connection with Lacrosse, the Association and its objects and purposes.   | Keep informed.                                |

## 3. INCIDENTAL OBJECTS AND POWERS

In addition to the basic objects of the Association the objects and powers of the Association shall be deemed to include:

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|-----|---|---------------------|
| 3.1 | The purchase, taking on lease or in exchange, and the hiring or otherwise acquiring any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of the Association. | Acquiring property. |
| 3.2 | The construction, maintenance and alteration of buildings. or works necessary or convenient for any of the  | Building.           |

objects or purposes of the Association.

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|------|---|--|
| 3.3  | The accepting of any gift, whether subject to a special trust or not for any one or more of the objects or purposes of the Association.   | Gifts.   |
| 3.4  | The taking of such steps from time to time as the Board or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Association, whether by way of donations, subscriptions or otherwise.   | Seeking funds.                                 |
| 3.5  | The printing and publishing of such newspapers, periodicals, books, leaflets or other documents as the Board or the members in general meeting may think desirable for the purpose of promotion of the objects and purposes of the Association.   | Publications.                                  |
| 3.6  | The borrowing and raising of money in such manner and on such terms as the Board may think fit or as may be, approved or directed by resolution passed at a general meeting; and securing the repayment of money so raised or borrowed or the payment of a debt or liability of the Association by giving mortgages, charges or securities upon or over all or any of the real or personal property of the Association.   | Borrowing money.                               |
| 3.7  | Subject to the provisions of the Trustees Act 1962-1968, the investment of any moneys of the Association not immediately required for any of its objects or purposes in such manner as the Board may from time to time determine  | Trustees Act limits investment of spare funds. |
| 3.8  | The establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts, schemes and conveniences calculated to benefit servants or past servants of the Association and their dependants, and the granting of pensions, allowances or other benefits to servants or past servants Insurances. of the Association and their dependants and the making of any payments towards insurance in relation to any of those purposes. | Reward to servants.<br><br>Insurances.         |
| 3.9  | To establish, promote or assist in establishing or promoting and to subscribe to or become a member of or associated or amalgamated with any other club, centre, association or organisation whose objects are similar to the objects of the Association or the establishment or promotion of which may be beneficial to the Association.   | Links to other like organisations.             |
| 3.10 | The doing of all such other lawful things as are incidental or conducive to the attainment of the basic objects and   | Any lawful act to achieve                      |

purposes specified in the foregoing provisions of this sub-rule.

objectives.

- 3.11 To promote and conduct either alone or jointly with any other association, club or persons, meetings, competitions and matches in connection with the game of Lacrosse and to offer, give or contribute towards prizes, medals and awards therefore and to promote, give or support dinners, balls, concerts and other entertainment.

Conduct competitions.

Provide awards.

Provide functions.

#### **4. INTERPRETAION**

- 4.1 Unless the contrary intention appears:

"General Meeting" means a general meeting of members convened in accordance with Rule 12.

General Meeting.

"Board Member" means a member of the Board.

Board Member.

"Board" shall have a collective meaning and include all those persons elected or properly appointed under clause 18.

The Board.

"Officers" means all those persons elected or appointed Officers. under clause 18.

Officers.

"Rules" means rules made from time to time.

Rules.

- 4.2 In these rules, expressions referring to writing, shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography and other modes of processing or reproducing words in a visible form, including electronic mail.

In writing.

#### **5. MEMBERSHIP**

- 5.1 A person who is nominated and approved for membership as provided in these rules is eligible to be a member of the Association on payment of the annual subscription, if any, prescribed in or fixed under the Rules.

Membership and Subscriptions.

- 5.2 All applications for membership shall be referred to the Board and the Board may accept or reject any application.

Acceptance of Membership.

- 5.3 A member of the Association may at any time resign from the Association by written notice to the Association or by non renewal of an annual application to be a member.

Resignation.

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|-------|---|--|
| 5.4   | A right, privilege or obligation of a person by virtue of membership of the Association:  | Membership rights, privileges and obligations. |
| 5.4.1 | is not capable of being transferred or transmitted to another person, and   | Membership non transferable.                   |
| 5.4.2 | terminates upon the cessation of membership, whether by death, resignation or otherwise notwithstanding that an obligation that occurred whilst a member remains in force until satisfied.  | Membership can terminate.                      |
| 5.5   | Honorary Life Membership may be conferred on any person who has rendered distinguished service to the Association or to the game of lacrosse over a period of ten (10) years or more. Election of Honorary Life Members shall be conducted according to the following conditions: | Honorary Life Members                          |
| 5.5.1 | Nominations for Honorary Life Membership shall be accompanied by a full written citation of the services rendered and the achievements made by the nominee.   |  |
| 5.5.2 | A Selection Committee shall be named comprising (3) Lacrosse WA Life Members appointed at the AGM and one (1) member of the Lacrosse WA Board, appointed by the board.  |  |
| 5.5.3 | The nominee shall be elected to Honorary Life Membership on the receipt of a unanimous vote from the Selection Committee.   |  |
| 5.5.4 | Presentation of the award will be at an appropriate time and place as determined by the LWA Board.  |  |
| 5.6   | The Board shall have the power to admit and re-admit a person to Honorary Membership of the Association for a period of not more than twelve (12) months at a time.   | Honorary Membership.                           |
| 5.7   | A Patron may be appointed at each Annual General Meeting.   | Patron.  |

## 6. AFFILIATION

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|-----|--|---|
| 6.1 | No club or other association shall take part in matches, games, leagues or grades organised by the Association unless it is affiliated with the Association.   | Affiliation is required to participate.   |
| 6.2 | All clubs, associations or persons which were members of or affiliated with the Association prior to the adoption of this Constitution or were members of or affiliated with Lacrosse West Inc before 30 June 2009 shall be deemed to be affiliated but no other clubs or associations shall affiliate unless approved by the Board.   | Original members are deemed to be affiliated.   |
| 6.3 | Affiliated clubs associations and members shall abide by the rules of the Association as promulgated by the Association from time to time and shall be subject to the disciplinary authority of the Board as provided for in the said rules.   | Affiliates and members shall abide by the rules.  |
| 6.4 | The Board shall be entitled to suspend the affiliation of any club or association or the membership of any member for such period of time as the Board thinks fit for breach or non observance by any club or association or member of the rules of the Association or this Constitution but without prejudice to the rights of the members to requisition a Special General Meeting in the manner hereinafter provided for the specific purpose of reviewing the Board's decision to suspend. | The Board may suspend membership or affiliation.<br><br>Decision to suspend may be subject to review. |

## 7. INCOME AND PROPERTY

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|---|--|
| The income and property of the Association however derived shall be applied solely towards the promotion of the objects and purposes of the Association and no portion thereof shall be paid or transferred, directly or indirectly, by dividend, bonus or otherwise, to any affiliated club or association or member of the Association. | Income and property to be used for Association objects only. |
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## 8. ACCOUNTS

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|-------|---|---|
| 8.1   | True accounts shall be kept:  |   |
| 8.1.1 | of all sums of money receipted and expended by the Association and the matter in respect of which the receipt or expenditure takes place, and | Record of moneys received/spent to be kept. |
| 8.1.2 | of the property, credits, assets and liabilities of the Association.  | Record of assets and liabilities.           |

- |     |   |   |
|-----|---|---|
|     | and subject to any reasonable restrictions as to time and manner that may be imposed by the Association for the time being, those accounts shall be open to the inspection of the members of the Association.   | Accounts are open for inspection.<br><br>Arrangements to be made. |
| 8.2 | The Board shall ensure that all general records, accounting books, records of receipt and expenditure connected with the operations and business of the Association shall be faithfully kept in such form and manner as the Board may from time to time direct.                     | Accounting records to be kept.                                    |
| 8.3 | The Board shall cause to be opened with such bank as the Board from time to time selects a banking account or accounts in the name of the Association in which all moneys received shall be paid as soon as possible after receipt.   | Moneys to be banked promptly.                                     |
| 8.4 | No cheques shall be drawn on the Association's bank account or accounts except for the payment of expenditure that has been authorised by the Board.  | Expenditures to be authorised.                                    |
| 8.5 | All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by such member or members of the Board as the Board may nominate for that purpose and shall be countersigned by one other member of the Board nominated for that purpose. | Signatories – multiple required.                                  |

## **9. AUDIT**

- |       |   |   |
|-------|---|---|
| 9.1   | At each Annual General Meeting of the Association, the members present shall appoint a person who is not a member of the Association as the Auditor of the Association and such person shall hold office until the next Annual General Meeting and is eligible for reappointment. | Annual appointment of Auditor.<br><br>Auditor not a member. |
| 9.2   | The Auditor:  |   |
| 9.2.1 | has a right of access to the accounts, books, records, vouchers and documents of the Association, and   | Auditor has right to access books.                          |
| 9.2.2 | may require from the officers of the Association such information and explanations as may be necessary for the proper performance of the duties of an auditor, and  | Auditor may require explanations from Officeres.            |
| 9.2.3 | may employ persons to provide assistance in investigating the accounts of the Association,  | Auditor may employ  |



	employ others. and	others.
9.2.4	may, in relation to the accounts of the Auditor may examine any member of the Board or any servant or any officer of the Association.	Auditor may examine others.
9.3	Once at least in each financial year of the Association, the accounts of the Association shall be examined by the Auditor and the Auditor shall certify as to the correctness of the accounts of the Association and shall report therein to the members present at the Annual General Meeting.	Annual Audit required.  Report to AGM.
9.4	In the audit report, and in certifying the accounts, the Auditor shall state:	Audit Report.
9.4.1	whether, in the opinion of the Auditor, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Association according to the information at the disposal of the Auditor and the explanations provided as shown by the books of the Association.	Audit Report content.
9.4.2	whether the rules relating to the administration of the funds of the Association have been observed.	Audit Report content.

## **10. ANNUAL GENERAL MEETING**

10.1	The Association shall, in each year, hold an Annual General Meeting on such day (being no later than three (3) months after the close of the financial year of the Association) as the Board may determine. The Annual General Meeting shall be in addition to other general meetings that may be held in the same year.	AGM to be held once a year.
10.2	The ordinary business of the Annual General Meeting shall be:	Business at the AGM.
10.2.1	to confirm the minutes of the last preceding Annual General Meeting and or any general. meeting held since that meeting, and	Confirm Minutes.
10.2.2	to receive from the Board, Auditor, Officers and any servants of the Association reports upon the transactions of the Association during the last preceding financial year, and	Receive reports.
10.2.3	to elect the officers of the Association	Elect Officers.

- |        |   |                             |
|--------|---|-----------------------------|
| 10.2.4 | to appoint the Auditor and determine the Auditor's remuneration, and  | Appoint Auditor.            |
| 10.2.5 | to determine the remuneration of Officers of the Association.   | Remuneration of Officers.   |
| 10.3   | The Annual General Meeting may transact special business of which notice is given in accordance with these rules. | Special Business at an AGM. |

## **11. SPECIAL GENERAL MEETING**

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| 11.1 | All general meetings other than the Annual General Meeting shall be called special general meetings and may be convened by the Board whenever it thinks fit.  | Special General Meetings.                          |
| 11.2 | The Board shall, on the requisition in writing of not less than twenty five (25) members, convene a special general meeting of the Association.   | Requisitions for a SGM.                            |
| 11.3 | A requisition for a special general meeting shall state the objects of the meeting and shall be signed by the requisitionists and deposited at the office of the Association and may consist of several documents in the like form, each signed by one or more of the requisitionists.  | Format of a Requisition for SGM.                   |
| 11.4 | If the Board does not cause a special general meeting to be held within twenty one (21) days from the date on which such a requisition is deposited at the office of the Association, the requisitionists, or any one of them, may convene the meeting; but any meeting so convened shall not be held after three (3) months from the date of the deposit of the requisition. | Board to act on a Requisition for a SGM.           |
| 11.5 | A special general meeting called by requisitionists pursuant to these rules shall be convened in the same manner as that which those meetings are convened by the Board, and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring them.  | Requisitioned SGM to be called in the same manner. |

## **12. NOTICE OF GENERAL MEETING**

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|---|-------------------------|
| The Board shall, at least fourteen (14) days before the date fixed for holding a general meeting of the Association, cause to be inserted on the association website and circulated to club secretaries, an advertisement specifying the place, day and time for the holding of the meeting and the nature of the business to | Notice of AGM required. |
|   | Notice of SGM           |

be transacted at that meeting.

required.

### 13. QUORUM – BUSINESS OF GENERAL MEETING

13.1 All business that is transacted at special general meetings and all business that is transacted at the Annual General Meeting, with the exception of that specifically referred to in these rules as being the ordinary business of the Annual General Meeting, shall be deemed to be special business.

Special  
Business.

13.2 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.

Quorum must  
be present to  
transact  
business.

13.3 Twenty Five (25) members personally present and being entitled to vote constitute a quorum for the transaction of the business of a general meeting.

13.4 If within one (1) hour after the appointed time for 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 it shall stand adjourned to the same day in the next week, at the same time at the same place (unless another place is specified by the Chair at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned), and if at the adjourned meeting a quorum is not present within one (1) hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

Quorum not  
present.

Adjournment

New Meeting.

### 14. CHAIR

The President, or in the absence of the President, the Vice President shall preside as chair at every meeting of the Association and if they are both absent, the members present shall elect one of their number to preside at chair.

President to  
chair. Vice  
President can  
chair.

### 15. ADJOURNMENTS

15.1 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 an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

Business at  
an adjourned  
meeting.

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| 15.2 | Where a meeting is adjourned for fourteen (14) days or more, the like notice of the adjourned meeting shall be given as in the case of the original meeting. | Notice may be required for an adjourned meeting. |
| 15.3 | Where a meeting is adjourned for thirteen (13) days or less no notice of the adjourned meeting is required.  | Notice may not be required.                      |

### 16. VOTING

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|------|--|---|
| 16.1 | A question arising at a general meeting of the Association shall be determined on a show of hands and 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 placed 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, of that resolution. | A question declared on a show of hands..... is sufficient proof of that resolution. |
| 16.2 | A member entitled to vote has one (1) vote which must be given personally.   | One personal vote per member.   |
| 16.3 | In the case of an equality of voting on a question the Chair of the meeting is entitled to exercise a second or casting vote.  | Chairman may cast second vote.  |
| 16.4 | A poll on any question may be demanded by a member entitled to vote, prior to a declaration by the Chair on any resolution.  | Poll may be demanded.   |
| 16.5 | If a poll on any question is demanded it shall be taken at the meeting in such a manner as the Chair may direct, and the result of the poll shall be deemed to be the resolution of the meeting on that question.  | Manner for poll to be taken.  |

### 17. MANAGEMENT

- |      |   |                                   |
|------|---|-----------------------------------|
| 17.1 | The affairs of the Association shall be managed by the Board constituted as provided in rule 18.      | Affairs to be managed by a Board. |
| 17.2 | The Board:  |                                   |
|      | 17.2.1 shall control and manage the business and affairs of the Association, and                      | Board to manage all business.     |
|      | 17.2.2 may, subject to these rules, exercise all such powers and functions as may be exercised by the | Powers of the Board.              |

Association, other than those powers and functions that are required by these rules to be exercised by a general meeting of members of the Association, and

- 17.2.3 subject to these rules, has power to make staff appointments, to form sub-committees for specific purposes and functions and perform all such acts and things as appear to the Board to be essential for the proper management of the business and affairs of the Association.
- Power to make appointments and sub-committees.

- 17.3 The Board may from time to time make, repeal and amend such rules and standing orders as shall be necessary or expedient for the efficient management of and the duties of the officers of the Association.
- Power to make rules.

### 18. OFFICERS

- 18.1 The Officers of the Association shall be:
- Officers.
- 18.1.1 a President
- President.
- 18.1.2 a Vice President
- Vice President.
- 18.1.3 Directors which shall include:-
- a Director of Administration,
- Administration .
- a Director of Finance,
- Finance.
- a Director of Men's Lacrosse,
- Men's Lacrosse.
- a Director of Women's Lacrosse,
- Women's Lacrosse.
- a Director of Development
- a Director of High Performance
- a Director of Promotions, and
- a Director of Officiating
- Referees.
- 18.1.4 Such further Directors as may be elected by Annual General Meeting or special general meeting
- Election of Directors.

- |        |  |  |
|--------|--|--|
| 18.1.5 | an Equity Commissioner for at least 3 years commences on 1 July 2009 and continuing thereafter at the discretion of the Association  | Equity Commissioner<br>Ends 1 July 2012      |
| 18.2   | Each officer's term shall not exceed two (2) Annual General Meetings and the officer is eligible for re-election after serving the term.   | Term of Office<br>Re-election.               |
| 18.3   | In the event of a casual vacancy in any office mentioned in sub clause 18.1, the Board may appoint one of the members to the vacant office and the member so appointed may continue in office as determined by the Board, but the term must not exceed the term stated in sub clause 18.2. | Casual vacancy.                              |
| 18.4   | The Board of the Association shall be the officers elected or appointed to fill a casual vacancy in accordance with Clause 18.   | Officers elected or appointed are the Board. |
| 18.5   | The Board may appoint Managers of the following:   | Managers.                                    |
| 18.5.1 | Administration   |  |
| 18.5.2 | Senior Lacrosse  |  |
| 18.5.3 | Junior Lacrosse  |  |
| 18.5.4 | Development  |  |
| 18.5.5 | Finance  |  |
| 18.5.6 | Coaching   |  |
| 18.5.7 | Publicity  |  |
| 18.5.8 | Specific Projects as identified by the Board   |  |
| 18.5.9 | such other functions that the Board considers warranted.   |  |

## 19. NOMINATION FOR OFFICERS OF THE ASSOCIATION

- |      |  |   |
|------|--|---|
| 19.2 | Nomination of candidates for election as officers of the Association shall be made in writing signed by at least two (2) members of the Association and accompanied by the written consent of the candidate, which may be endorsed on the form of nomination and shall be delivered to the Association at least ten (10) days before the date fixed for the holding of the Annual General Meeting. | Nominations for Officers in writing before AGM.<br><br>Candidate must agree in writing. |
| 19.2 | If no such nominations are received prior to the Annual General Meeting nominations may be accepted from among the members present at the Annual General Meeting and voted upon  | Nominations can be accepted from the floor.   |

**20. VACATION OF OFFICE**

For the purpose of these rules, the office of an officer of the Association becomes vacant if the officer:

Position of Officer can become vacant.

- 20.1 dies;
- 20.2 becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent or compounds with creditors;
- 20.3 becomes of unsound mind;
- 20.4 resigns from office in writing;
- 20.5 fails, without prior leave granted by the Board, to attend three consecutive meetings of the Board;
- 20.6 ceases to be a member of the Association;
- 20.7 fails to pay all arrears of subscriptions due within fourteen (14) days after issue of a notice in writing from the Board stating that the officer has ceased to be a financial member of the Association.

**21. MEETINGS OF BOARD**

- 21.2 The Board shall meet at least once in each month at such place and at such times as the Board may determine. Board to meet monthly.
- 21.2 Special meetings of the Board of which reasonable notice shall be given may be convened by the President, or any two (2) of its members. Special Meetings may be convened.
- 21.3 Any three (3) members of the Board constitute a quorum for the transaction of the business of a meeting of the Board. Board quorum.
- 21.4 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 at the same hour of the same day in the following week unless the meeting was a special general meeting, in which case it lapses. Quorum needed to transact business.  
May be adjourned.  
May lapse.
- 21.5 At meetings of the Board, the President shall preside and in the absence of the President, the Vice President shall preside and in the absence of them both such one of the remaining members of the Board as may be chosen by Who shall preside at meetings.

the members present shall preside

- |      |   |   |
|------|---|---|
| 21.6 | Each officer present at a meeting of the Board, including the person presiding at the meeting, is entitled to one vote and, in the event of an equality of votes of any question, the person presiding may exercise a second or casting vote. | One vote each.<br><br>Casting vote available. |
|------|---|---|

## 22. ANNUAL SUBSCRIPTION

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|------|--|--|
| 22.1 | The annual subscription payable by members or affiliated clubs and associations shall be determined by the Board from time to time.  | Board to set Annual Subscriptions.             |
| 22.2 | The annual subscription of a member or affiliated club and associations is due and payable on or before a date fixed by the Director of Finance at commencement of the season the subscriptions are due. | Subscriptions are due before 1 June each year. |

## 23. FINANCIAL YEAR

The financial year of the Association is the period beginning on the first day of November in each year and ending on the thirty first day of October next following	Financial Year.
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## 24. NOTICES

- |   |   |                                      |
|---|---|--------------------------------------|
| A notice may be served by or on behalf of the Association upon any member either: |   | Form in which Notices may be issued. |
| 24.1  | personally  | Board may expel.                     |
| 24.2  | by sending it through the post in prepaid letter addressed to the member at the member's usual or last known place of abode or at the address currently registered by the member with the Association; or | Board may expel.                     |
| 24.3  | by way of electronic mail to the electronic mail address for that member which has been notified to the Association   | Board may expel.                     |

## 25. EXPULSION AND SUSPENSION OF MEMBERS AND AFFILIATED CLUBS AND ASSOCIATIONS

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|------|---|------------------|
| 25.1 | Subject to this rule, the Board may expel or suspend a member or affiliated club or affiliated association from the Association if, in the opinion of the Board the member or | Board may expel. |
|------|---|------------------|



- club or association has been guilty of conduct detrimental to the interests of the Association.
- 25.2 A member or club or association expelled or suspended by the Board may appeal against the expulsion or suspension to a special general meeting by delivering or sending by post to the Association, within fourteen (14) days after the service of that notice, a requisition in writing demanding the convening of such a meeting for the purpose of hearing the appeal.
- 25.3 Upon receipt of a requisition under sub rule 25.2 the Board shall forthwith cause a special general meeting of members to be held within twenty one (21) days after the date on which the requisition is received.
- 25.4 At a special general meeting convened for the purpose of this rule:
- 25.4.1 no business other than the question of the expulsion or suspension shall be transacted;
- 25.4.2 the Board may place before the meeting details of the grounds of the expulsion or suspension and the Board's reasons for the expulsion or suspension;
- 25.4.3 the expelled or suspended member shall be given an opportunity to be heard;
- 25.4.4 the members present and entitled to vote shall vote by secret ballot on the question whether the expulsion or suspension should be lifted or confirmed.
- 25.5 If at the special general meeting a majority of the members present and entitled to vote, vote in favour of the lifting of the expulsion or suspension, the expulsion or suspension shall be deemed to have been lifted and the expelled or suspended member is entitled to continue membership of the Association.
- 25.6 If at the special general meeting a majority of members present and entitled to vote, vote in favour of the confirmation of the expulsion or suspension, the expulsion or suspension takes effect and the expelled or suspended member ceases to be a member of the Association or remains a member of the Association under suspension.

Appeal  
against  
expulsion or  
suspension.

Special  
General  
Meeting to be  
called to  
consider.

Business is  
restricted.

Board may  
present its  
case.

Member may  
present case.

Vote by secret  
ballot to lift or  
confirm only.

Result if vote  
in favour of  
lifting  
suspension or  
expulsion.

Result if vote  
in favour of  
confirming  
suspension or  
expulsion.

**26. AMENDMENTS TO THE CONSTITUTION**

These rules may be altered or repealed by resolution at any annual or special general meeting provided that:

Changes to the Constitution.

26.1 No such resolution shall be deemed to have been passed unless it is carried by a majority of at least seventy five percent of those members present and entitled to vote.

75% majority needed  
Assn Inc Act 17.1.02

26.2 Notice of the proposed amendment shall be included in the notice calling the special general meeting.

Notice must be given.

26.3 An amendment to the objects and powers or an alteration of the objects, powers or rules is of no effect until a copy of the amendments or alterations is lodged with the Ministry of Fair Trading (or its equivalent) of Western Australia and all necessary approvals are obtained.

Corporate approval of any changes required.

**27. SEAL**

27.1 The seal of the Association shall be in the form of a Seal, rubber stamp, inscribed with the name of the Association encircling the word "Seal".

27.2 The seal of the Association shall not be affixed to any instrument except by the authority of the Board and the affixing thereof shall be attested by the signature either of two (2) members of the Board or of one (1) member of the Board and such other person as the Board may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by the authority of the Board.

Attestation required with Seal.

27.3 The seal shall remain in the custody of the Director responsible for the business of Administration.

Seal.

**28. NO POLITICAL OR SECTARIAN AFFILIATION**

The Association shall be non political and non sectarian

Non political,  
Non sectarian.

**29. DISSOLUTION**

29.1 If upon the winding up or dissolution of the Association there remains after satisfaction of all debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members but shall be given or

Dissolution and disposal of surplus assets.

transferred:

Assn Inc Act.

29.1.1 to another association incorporated under the Act; or

29.1.2 for charitable purposes which incorporated association or purposes, as the case shall be determined by the resolution of the members when authorising and directing the Board of Directors under section 33(3) of the Associations Incorporations Act 1987 as amended to prepare a distribution plan of the surplus property of the Association.

On dissolution  
Members to  
direct Board.

Assn Inc Act.

29.2 In the event of the winding up or dissolution of the Association, the Commissioner of Taxation shall be advised of the date of dissolution within thirty (30) days of the dissolution.

On dissolution  
advise ATO.

There are currently no clauses after clause 29.

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