

Dated: 12<sup>th</sup> June 2009

# **Bond University Student Association Inc.**

Constitution

# Contents

|     |   |    |
|-----|---|----|
| 1.  | Definitions and interpretation .....                                    | 2  |
| 2.  | Objects.....  | 3  |
| 3.  | Powers.....   | 4  |
| 4.  | Membership .....  | 4  |
| 5.  | Membership fee .....  | 5  |
| 6.  | When membership ends.....   | 5  |
| 7.  | Appeal against rejection or termination of membership .....             | 6  |
| 8.  | Register of members.....  | 6  |
| 9.  | Secretary.....  | 7  |
| 10. | Membership of the Management Committee.....                             | 9  |
| 11. | Electing the Management Committee.....                                  | 9  |
| 12. | Resignation or removal from office of Management Committee member ..... | 11 |
| 13. | Vacancies on Management Committee.....                                  | 11 |
| 14. | Functions of the Management Committee.....                              | 12 |
| 15. | Meetings of the Management Committee .....                              | 13 |
| 16. | Delegation of Management Committee powers .....                         | 14 |
| 17. | Acts not affected by defects or disqualification .....                  | 15 |
| 18. | Resolutions of Management Committee without meeting.....                | 15 |
| 19. | Annual general meetings .....   | 16 |
| 20. | Business to be conducted at the annual general meeting.....             | 16 |
| 21. | Special general meeting.....  | 16 |
| 22. | Notice of annual and special general meetings.....                      | 17 |
| 23. | Quorum for, and adjournment of, general meeting.....                    | 17 |
| 24. | Procedure at a general meeting.....                                     | 18 |
| 25. | By-laws .....   | 21 |
| 26. | Alteration of rules .....   | 21 |
| 27. | Common seal.....  | 21 |
| 28. | Funds and accounts.....   | 22 |
| 29. | Documents .....   | 23 |
| 30. | Financial year.....   | 23 |
| 31. | Distribution of surplus assets to another entity .....                  | 23 |
| 32. | Affiliated Bodies .....   | 24 |
| 33. | Indemnity .....   | 24 |

# Bond University Student Association Inc.

## Constitution

### 1. Definitions and interpretation

#### 1.1 Definitions

In this Constitution:

- (1) **Act** means the *Associations Incorporation Act 1981* (QLD) and includes any amendment or re-enactment of it or any legislation passed in substitution for it;
- (2) **Association** means Bond University Student Association Inc.
- (3) **Business day** means a day that is not a Saturday, a Sunday or a public holiday or bank holiday in the place where the Association has its registered office;
- (4) **Executive member** refers to the President, Vice President (Education), Vice President (Recreation), Vice President (Sport), Treasurer or Secretary of the Management Committee.
- (5) **Management Committee** refers to the Executive, directors and other members referred to in Rule 10.
- (6) **Management Committee Elect** refers to the Executive, directors and other members referred to in Rule 10, who have been elected in accordance with Rule 11 but have not yet commenced their 12 month term.
- (7) **Special Resolution** means a resolution that has been passed at a special general meeting by a least 75% of the members of the Association present and entitled to vote on the resolution;
- (8) **Students** means all individuals deemed to be enrolled by Bond University in a degree course subject; and
- (9) **University** means Bond University.

## 1.2 Interpretation

- (1) Reference to:
  - (a) One gender includes the others;
  - (b) The singular includes the plural and the plural includes the singular; and
  - (c) A person includes a body corporate.
- (2) Except so far as the contrary intention appears in this constitution:
  - (a) An expression has in this constitution the same meaning as in the Act; and
  - (b) If an expression is given different meanings for the purposes of different provisions of the Act, the expression has, in a provision of this constitution that deals with a matter dealt with by a particular provision of the Act, the same meaning as in that provision of the Act.
- (3) “Including” and similar expressions are not words of limitation.
- (4) Headings and any table of contents or index are for convenience only and do not form part of this constitution or affect its interpretation.
- (5) A word or expression that is not defined in these rules, but is defined in the *Associations Incorporation Act 1981* has, if the context permits, the meaning given by the Act.

## 2. Objects

### 2.1 The objects of the Association are to:

- (1) Represent and negotiate on all student matters as the peak student representative body at Bond University;
- (2) Facilitate improvements relevant to the interests and welfare of all students through communication and cooperation with all University entities;

- (3) Provide a forum for the discussion and examination of matters of interest to students and to offer recommendations to the relevant University entity and outside authorities;
- (4) Encourage students to participate in social, cultural, educational and recreational activities;
- (5) Provide and promote the use of sporting facilities, amateur sport and participation in all intervarsity and fixture competitions;
- (6) Fund and support all clubs, societies and faculty student organisations affiliated with the Association in a fair and equitable manner;
- (7) Uphold non-discrimination on the basis of race, gender, sexual orientation, religion, political beliefs, physical disability, age or financial status;
- (8) Remain apolitical; and
- (9) Generally do all things which will further the aims and objectives set out in this Constitution.

### **3. Powers**

3.1 The Association has the powers of an individual.

3.2 The Association may, for example:

- (1) Enter into contracts;
- (2) Acquire, hold, deal with and dispose of property;
- (3) Make charges for services and facilities it supplies;
- (4) Fund all affiliated clubs, societies and faculty student organisations; and
- (5) Do other things necessary or convenient to be done in carrying out its affairs.

### **4. Membership**

- 4.1 The Association's members comprise, automatically, all persons enrolled in an award program at Bond University who have
- (a) Paid the membership fee ("a **financial member**"), or
  - (b) Expressly agreed to become a member for a particular semester ("a **non-financial member**").

4.2 The number of members is unlimited.

## **5. Membership fee**

5.1 The membership fee:

- (1) is the amount decided by the members from time to time at a Management Committee meeting; and
- (2) is payable when, and in the way, the Management Committee decides.

5.2 The membership fee shall be reviewed on an annual basis and the Management Committee should give reasons for the change in the Association's annual general meeting.

## **6. When membership ends**

6.1 A person's membership ends when he or she no longer satisfies the requirements of Rule 4.1.

6.2 A member may resign from the Association by giving a written notice of resignation to the Secretary.

6.3 The resignation takes effect on:

- (1) The day and at the time the notice is received by the Secretary; or
- (2) If a later date is stated in the notice – the later day.

6.4 The Management Committee may terminate a member's membership if the member:

- (1) is convicted of an indictable offence;

- (2) does not comply with any of the provisions of these rules;
  - (3) has membership fees in arrears for at least 2 months; or
  - (4) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Association or any of its members.
- 6.5 Before the Management Committee terminates a member's membership, the Management Committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- 6.6 If, after considering all representation made by the member, 75% of the Management Committee decides to terminate the membership, the Secretary of the Management Committee must give the member a written notice of the decision.

## **7. Appeal against rejection or termination of membership**

- 7.1 A person whose membership has been terminated, may give the Secretary written notice of the person's intention to appeal against the decision.
- 7.2 A notice of intention to appeal must be given to the Secretary within 1 month after the person receives written notice of the decision.
- 7.3 If the Secretary receives a notice of intention to appeal, the Secretary must, within 3 months after the day of receipt, call a special general meeting to decide the appeal.
- 7.4 At the meeting, the applicant must be given a full and fair opportunity to show why the membership should not be terminated.
- 7.5 Also, the Management Committee and the members of the Management Committee who terminated the membership must be given an opportunity to show why the membership should be terminated.
- 7.6 An appeal must be decided by a majority vote of the members present at the meeting and entitled to vote.

## **8. Register of members**

- 8.1 The Management Committee shall ensure that a register of members is kept.
- 8.2 The register of members must include the following particulars for each member:
- (1) The full name and Bond University email address of the member;
  - (2) Student identity number of the member;
  - (3) The date of admission as a member; and
  - (4) Any other particulars the Management Committee or the members at a general meeting decide.
- 8.3 The register must be open for inspection at all reasonable times.
- 8.4 However, before a member may inspect the register, the member must apply to the Secretary to inspect it.

## **9. Secretary**

- 9.1 The members of the Management Committee must ensure a Secretary is appointed or elected for the Association.
- 9.2 The Secretary will be elected by the members of the Association in the manner set out in Rule 9.3 at the same time that the members of the Management Committee members are elected under Rule 11.
- 9.3 The election for the position of Secretary must be carried out as follows:
- (1) Candidates for the position of Secretary must be nominated by any 2 members of the Association (**candidate**)
  - (2) The nomination must be:
    - (a) in writing;
    - (b) signed by the candidate and the members who nominated him or her; and
    - (c) given to the Secretary at least 14 days before the date upon which the election ballot process begins.

- (3) 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 7 days before the date upon which the election ballot process begins.
  - (4) Candidates will be elected as follows:
    - (a) Each member of the Association will have 1 vote only;
    - (b) Voting will be by secret ballot; and
    - (c) The position of Secretary will be determined on a "first past the post" basis.
- 9.4 If a casual 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.
- 9.5 The Secretary must be an individual, who is:
- (1) A member of the Association elected by the Association as Secretary; or
  - (2) Any of the following persons appointed by the Management Committee;
    - (a) a member of the Association's Management Committee;
    - (b) a member of the Association;
    - (c) another person.
- 9.6 The Management Committee may remove the Association's Secretary at any time.
- 9.7 A Secretary may resign from the Management Committee by giving written notice of resignation to all of the members of the Management Committee.
- 9.8 The resignation takes effect on:
- (1) the day and at the time the notice is received by the last Management Committee member; or
  - (2) if a later date is stated in the notice – the later day.

9.9 Any individual who the Management Committee reasonably believes has conducted himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Association or to any of its members will be ineligible to be nominated to serve as Secretary.

## **10. Membership of the Management Committee**

10.1 The Management Committee of the Association consists of:

- (1) President
- (2) Vice President (Education)
- (3) Vice President (Recreation)
- (4) Vice President (Sport)
- (5) Treasurer
- (6) Secretary
- (7) Any other directors or members, who are elected under Rule 11, appointed at a general meeting, or appointed as a casual vacancy under Rule 13.

10.2 There must be at least 9 but no more than 21 members on the Management Committee at any one time. No fewer than 2 directors must accommodate sporting interests of the Association.

10.3 A member of the Management Committee, other than the Secretary, must be a financial member of the Association.

10.4 Members of the Management Committee will hold office for a period of 12 months unless they resign or are removed from office under Rule 12.

10.5 The Management Committee may appoint a subcommittee consisting of members of the association considered appropriate by the committee to help with the conduct of the association's operations.

## **11. Electing the Management Committee**

11.1 Elections for all positions on the Management Committee must be held during the first five weeks from the start of Bond University's annual September academic semester, at a date that the Management Committee determines to be appropriate within this time period.

- 11.1A Members of the Management Committee Elect will hold office for a period of 12 months, in accordance with Rule 10, commencing three weeks after the date of their election or at an earlier time as the Management Committee decides.
- 11.2 Only members who reasonably expect to remain Students for the term of office described in Rule 10.3 are eligible to be nominated to be members of the Management Committee.
- 11.3 A member of the Management Committee may only be nominated for election as follows:
- (1) any 2 members of the Association may nominate another member (**candidate**) to serve as a member of the Management Committee;
  - (2) a candidate can only be nominated for a single position on the Management Committee;
  - (3) the nomination must be:
    - (a) in writing;
    - (b) state the position for which the candidate is being nominated;
    - (c) signed by the candidate and the members who nominated him or her; and
    - (d) given to the Secretary at least 14 days before the date upon which the election ballot process begins.
- 11.4 A list of 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 7 days before the date upon which the election ballot process begins.
- 11.5 Candidates will be elected as follows:
- (1) each member of the Association will have 1 vote only;
  - (2) voting will be by secret ballot;
  - (3) all positions on the Management Committee will be determined on a "first past the post" basis.

- (4) the election will be conducted by a duly appointed neutral officer who must not be a member of the Association or of the student body of the University and will be selected by the Management Committee prior to the commencement of the election ballot process.
- (5) the Management Committee may appoint an election subcommittee to facilitate the election and fulfil the requirements under Rule 11.5(4).

## **12. Resignation or removal from office of Management Committee member**

- 12.1 A Management Committee member may resign from the Management Committee by giving written notice of resignation to the Secretary.
- 12.2 The resignation takes effect on:
  - (1) the day and at the time the notice is received by the Secretary; or
  - (2) if a later date is stated in the notice – the later day.
- 12.3 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.
- 12.4 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.
- 12.5 A member of the Management Committee will automatically cease to be a member of the Management Committee if he or she ceases to be a member of the Association.
- 12.6 A member has no right of appeal against the member's removal from office under this Rule 12.

## **13. Vacancies on Management Committee**

- 13.1 If a casual vacancy occurs on the Management Committee, the continuing members of the Management Committee may appoint another member of the Association to fill the vacancy until the next Management Committee election.

13.2 The continuing members of the Management Committee may act despite a casual vacancy on the Management Committee.

13.3 However, if the number of Management Committee members is less than the number fixed under Rule 15.7 as a quorum of the Management Committee, the continuing members may act only to:

- (1) increase the number of Management Committee members to the number required for a quorum; or
- (2) call a general meeting of the Association

#### **14. Functions of the Management Committee**

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

- (1) the general control and management of the administration of the affairs, property and funds of the Association; and
- (2) authority to interpret the meaning of these rules and any matter relating to the Association on which the rules are silent.

14.2 The Management Committee may exercise the powers of the Association:

- (1) to borrow, raise or secure the payment of amounts in a way the Association members decide;
- (2) to secure the amounts mentioned in Rule 14.2(1) 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;
- (3) to purchase, redeem or pay off any securities issued;
- (4) to borrow amounts from members and pay interest on the amounts borrowed;
- (5) to mortgage or charge the whole or part of its property;

- (6) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association;
  - (7) to provide and pay off any securities issued; and
  - (8) to invest in a way the members of the Association may from time to time decide.
- 14.3 For Rule 14.2(4), 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:
- (1) the financial institution for the Association; or
  - (2) if there is more than 1 financial institution for the Association – the financial institution nominated by the Association.

## **15. Meetings of the Management Committee**

- 15.1 Subject to rules 15.2 to 15.16, the Management Committee may meet and conduct its proceedings as it considers appropriate.
- 15.2 The Management Committee must meet at least once every 2 months to exercise its functions.
- 15.3 The Management Committee must decide how a meeting is to be called.
- 15.4 Notice of a meeting is to be given in the way decided by the Management Committee.
- 15.5 If the Secretary receives a written request signed by at least 3 members of the Management Committee, the Secretary must call a special meeting of the Management Committee.
- 15.6 A request for a special meeting must state:
- (1) why the special meeting is called; and
  - (2) the business to be conducted at the meeting.
- 15.7 At a Management Committee meeting, 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 form a quorum.

- 15.8 A question arising at a Management Committee meeting is to be decided by a majority vote of the Management Committee members present at the meeting and, if the votes are equal, the question is decided in the negative.
- 15.9 A Management Committee member must not vote on a question about a contract or proposed contract with the Association if the member has an interest in the contract or proposed contract, and if the member does vote the member's vote must not be counted.
- 15.10 The Secretary must give each Management Committee member at least 14 days' notice of a special meeting of the Management Committee.
- 15.11 A notice of a special meeting must state:
- (1) the day, time and place of the meeting; and
  - (2) the business to be conducted at the meeting.
- 15.12 The President or a nominated member of the Management Committee is to preside as chairperson at the meeting.
- 15.13 If a quorum is not present within 30 minutes after the time fixed for a Management Committee meeting called on the request of Management Committee members, the meeting lapses.
- 15.14 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 Management Committee members, the meeting is to be adjourned to:
- (1) the same day, time and place in the next week; or
  - (2) a day, time and place decided by the Management Committee.
- 15.15 If, at an adjourned meeting mentioned in Rule 15.14, a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.

## **16. Delegation of Management Committee powers**

- 16.1 The Management Committee may delegate the whole or part of its powers to a subcommittee consisting of the Association members considered appropriate by the Management Committee.

- 16.2 A subcommittee may only exercise delegated powers in the way the Management Committee decides.
- 16.3 A subcommittee may elect a chairperson of its meetings.
- 16.4 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.
- 16.5 A subcommittee may meet and adjourn as it considers appropriate.
- 16.6 A question arising at a subcommittee meeting is to be decided by a majority vote of its members present at the meeting and, if the votes are equal, the question is decided in the negative.

**17. Acts not affected by defects or disqualification**

- 17.1 An act performed by the Management Committee, a subcommittee or a person acting as a member of the Management Committee is taken to have been validly performed.
- 17.2 Rule 17.1 applies even if the act was performed when:
  - (1) there was a defect in the appointment of a member of the Management Committee, subcommittee or person acting as a member of the Management Committee; or
  - (2) a Management Committee member, subcommittee member or person acting as a member of the Management Committee was disqualified from being a member.

**18. Resolutions of Management Committee without meeting**

- 18.1 A written resolution signed by each member of the Management Committee for the time being entitled to receive notice of a Management Committee meeting is as valid and effectual as if it had been passed at a Management Committee meeting that was properly called and held.
- 18.2 A resolution mentioned in Rule 18.1 may consist of several documents in like form, each signed by 1 or more members of the Management Committee.

**19. Annual general meetings**

19.1 Each annual general meeting must be held:

- (1) at least once each year; and
- (2) within 7 weeks of the start of the semester next following the election of the Management Committee.

**20. Business to be conducted at the annual general meeting**

20.1 The following business must be conducted at each annual general meeting:

- (1) 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;
- (2) receiving the auditor's report on the financial affairs of the Association for the last financial year;
- (3) presenting the audited statement to the meeting for adoption; and
- (4) appointing an auditor.

**21. Special general meeting**

21.1 The Secretary may only call a special general meeting by giving each member notice of that meeting within 14 days after:

- (1) being directed to call the meeting by the Management Committee;
- (2) being given a written request signed by:
  - (a) at least 33% of the members of the Association presently on the Management Committee; or
  - (b) at least the number of members of the Association equal to double the number of members of the Association presently on the Management Committee plus 1; or

- (3) being given a written notice of an intention to appeal against the decision of the Management Committee:
  - (a) to reject an application for membership; or
  - (b) to terminate a person's membership.

21.2 A request mentioned in Rule 21.1(2) must state:

- (1) why the special general meeting is being called; and
- (2) the business to be conducted at the meeting.

## **22. Notice of annual and special general meetings**

22.1 The Secretary may call a general meeting of the Association.

22.2 The Secretary must give at least 14 days' notice of the meeting to each Association member.

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

22.4 However, notice of the following meetings must be given by electronic mail or in writing:

- (1) 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;
- (2) a meeting called to hear and decide a proposed special resolution of the Association.

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

## **23. Quorum for, and adjournment of, general meeting**

23.1 Subject to Rule 23.5, 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.

- 23.2 No business may be conducted at a general meeting unless a quorum of members is present when the meeting proceeds to business.
- 23.3 If a 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.
- 23.4 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:
- (1) the same day, time and place in the next week; or
  - (2) a day, time and place decided by the Management Committee.
- 23.5 If, at an adjourned meeting, a quorum under Rule 23.1 is not present within 30 minutes after the time fixed for the meeting, the members present form a quorum.
- 23.6 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.
- 23.7 If a meeting is adjourned under Rule 23.6, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- 23.8 The Secretary is not required to give members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- 23.9 If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.
- 23.10 In this rule, **member** includes a person attending as a proxy.

## **24. Procedure at a general meeting**

- 24.1 Subject to these rules, at each general meeting:

- (1) The President or, if there is no President or if the President is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, another Executive member is to preside as chairperson;
- (2) If an Executive member is absent or unwilling to act as chairperson, the members present must elect 1 of their number to be chairperson of the meeting;
- (3) The chairperson must conduct the meeting in a proper and orderly way;
- (4) Each question, matter or resolution must be decided by a majority of votes of the members present;
- (5) Each member present and entitled to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote;
- (6) 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;
- (7) Voting may be by a show of hands or a division of members, unless at least 20% of the members present demand a secret ballot;
- (8) If a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides;
- (9) The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held;
- (10) A member may vote in person or by proxy or by attorney and:
  - (a) on show of hands, each person present who is a member or a representative of a member has 1 vote; and
  - (b) in a secret ballot, each member present in person or by proxy or by attorney or other properly authorised representative has 1 vote;
- (11) An instrument appointing a proxy must be in writing, and:
  - (a) if the appointor is an individual – signed by the appointor or the appointor's attorney properly authorised in writing; or

- (b) if the appointer is a corporation – either under seal or signed by a properly authorised officer or attorney of the corporation;
- (12) A proxy may be a member of the Association or another person;
- (13) The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot;
- (14) 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:

**Bond University Student Association Inc.**

I, \_\_\_\_\_ of \_\_\_\_\_, being a member of the Association, appoint \_\_\_\_\_ of \_\_\_\_\_, as my proxy to vote for me on my behalf at the (annual/special) general meeting of the Association, to be held on \_\_\_\_\_ 20 \_\_, and at any adjournment of the meeting.

Signed \_\_\_\_\_ Dated: \_\_\_\_\_

This form is to be used \*in favour of/\*against the resolution.

\* Strike out whichever is not wanted. (Unless otherwise instructed, the proxy may vote as the proxy considers appropriate);

- (15) Each instrument appointing a proxy must be given to the Secretary at least 24 hours before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote;
- (16) The Secretary 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; and
- (17) The Secretary must ensure that the minute book for each general meeting is open for inspection at all reasonable times by any financial member who previously applies in writing to the Secretary for the inspection.

24.2 To ensure the accuracy of the minutes recorded under Rule 24.1(16):

- (1) The minutes of each Management Committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next Management Committee meeting, verifying their accuracy;
- (2) 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
- (3) 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.

## **25. By-laws**

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

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

All by-laws will be posted on the Association's website.

## **26. Alteration of rules**

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

26.2 However, an amendment, repeal or addition is valid only if it is registered by the chief executive.

## **27. Common seal**

27.1 The Management Committee must ensure the Association has a common seal.

27.2 The common seal must be:

- (1) kept securely by the Management Committee; and

- (2) used only under the authority of the Management Committee.
- 27.3 Each instrument to which the seal is attached must be signed by a member of the Management Committee and countersigned by:
- (1) the Secretary;
  - (2) another member of the Management Committee; or
  - (3) someone appointed by the Management Committee.

## **28. Funds and accounts**

- 28.1 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.
- 28.2 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Association.
- 28.3 All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- 28.4 If the Association pays any sum by cheque, the cheque must be signed by any 2 of the following:
- (1) the President;
  - (2) the Secretary;
  - (3) the Treasurer;
  - (4) another member authorised by the Management Committee for the purpose.
- 28.5 Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed “not negotiable”.
- 28.6 A petty cash account must be kept on the imprest system, and the Management Committee must decide the amount of petty cash to be kept in the account.

- 28.7 All expenditure must be approved or ratified at a Management Committee meeting.
- 28.8 The Treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared:
- (1) the income and expenditure for the financial year just ended;
  - (2) the Association's assets and liabilities at the close of the year; and
  - (3) the mortgages, charges and securities affecting the property of the Association at the close of the year.
- 28.9 The auditor must examine the statement prepared under Rule 28.8 and present a report about it to the Secretary before the next annual general meeting following the financial year for which the audit was made.
- 28.10 The income and property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers.

## **29. Documents**

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

## **30. Financial year**

- 30.1 The financial year of the Association closes on 30 September in each year.

## **31. Distribution of surplus assets to another entity**

- 31.1 This Rule 31 applies if the Association:

- (1) is wound up under Part 10 of the Act; and
- (2) it has surplus assets.

- 31.2 The surplus assets must not be distributed among the Association members.

- 31.3 The surplus assets must be given to another entity:

- (1) having objects similar to the Association's objects; and
- (2) the rules of which prohibit the distribution of the entity's income and assets to its members.

31.4 In this Rule 31, **surplus assets** has the meaning given by section 92(3) of the Act.

## **32. Affiliated Bodies**

32.1 Affiliated bodies are those which lodge a Constitution to, and which are accepted by, the Management Committee. This may include cultural or sporting clubs and societies or faculty student organisations.

32.2 All affiliated bodies are required to maintain a list of their active members, which distinguishes between those who are financial and non-financial members of the Association.

32.3 The office-bearers of affiliated bodies must be financial members of the Association.

32.4 Affiliated bodies are eligible to receive funding from the Association; the amount of which is subject to the discretion of the Management Committee.

32.5 Affiliated bodies may be disaffiliated by the Management Committee providing reasonable notice is given on any one of the following grounds:

- (1) Inactivity for 3 consecutive semesters;
- (2) Bringing the affiliated body, the Association or Bond University into disrepute; or
- (3) Failing to respond to reasonable requests of the Management Committee.

32.6 Affiliated bodies may appeal against disaffiliation by showing cause in writing to the Managing Committee within 14 days of notice being given.

## **33. Indemnity**

33.1 The Association indemnifies each member of the Management Committee against any liability incurred by that member in his or her capacity as a member of the Management Committee of the Association:

- (1) to any other person (other than the Association), including liability arising from negligence, breach of statutory duty or for any other reason, unless the liability arises out of conduct involving a lack of good faith; and
- (2) for costs and expenses:
  - (a) in defending proceedings, whether civil or criminal, in which judgment is given in favour of the member or in which the member is acquitted; and
  - (b) in connection with an application in relation to those proceedings in which the Court grants relief to the member.