

**BUDERIM CRAFT COTTAGE ASSOCIATION INC.
RULES**

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BUDERIM CRAFT COTTAGE ASSOCIATION INC.

RULES

1. Name

The name of the incorporated association is BUDERIM CRAFT COTTAGE ASSOCIATION INCORPORATED.

2. Objects

The objects of the Association are—

- (a) To provide a meeting place in Buderim for artists and craftspeople to pursue their interests and develop their skills in a welcoming and supportive environment.
- (b) To support and encourage the study and promotion of arts and crafts;
- (c) To liaise with other arts and crafts societies for mutual benefit;
- (d) To apply the collective skills of the members to benefit the community.

3. Powers

1. The Association has the powers of an individual.
2. The Association may—
 - (a) control and manage the Association's affairs, property and funds;
 - (b) enter into contracts for the Association;
 - (c) issue secured and unsecured notes, debentures and debenture stock for the Association;
 - (d) acquire, hold, deal with and dispose of property;
 - (e) make charges for services and facilities it supplies;
 - (f) employ and manage staff and contractors for the Association;
 - (g) publish material either electronically or in print to promote the Association;
 - (h) make donations for charitable or community purposes;
 - (i) subscribe to and collaborate with other organisations whose objects are similar;
 - (j) buy and sell goods and services;
 - (k) market members' art and craft work and charge a commission or fee for this service;
 - (l) do other things necessary or convenient to be done in carrying out its affairs.

4. Classes of members

1. The membership of the Association consists of ordinary members and honorary life members.
2. The number of members is limited to the capacity of the Association's facilities to cater for each respective art and craft group as determined by the management committee.

5. New membership

1. An applicant for membership of the Association must be proposed by 1 financial member of the Association (the *proposer*) and seconded by the leader of the group the applicant is applying to join. (the *seconder*).
2. An application for membership must be—
 - (a) in writing; and
 - (b) signed by the applicant and the applicant's proposer and seconder; and

(c) in the form decided by the management committee.

6. Membership fees

The membership fee for each class of membership—

- (a) is the amount decided by the members from time to time at a general meeting; and
- (b) is payable when, and in the way the management committee decides.

7. Admission and rejection of new members

1. The management committee must consider an application for membership at the next committee meeting held after it receives—
 - (a) the application for membership; and
 - (b) the appropriate membership fee for the application.
2. The management committee must ensure that, as soon as possible after the person applies to become a member of the Association, and before the management committee considers the person's application, the person is advised—
 - (a) whether or not the Association has public liability insurance; and
 - (b) if the Association has public liability insurance—the amount of the insurance.
3. The management committee must decide at the meeting whether to accept or reject the application.
4. If a majority of the members of the management committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted.
5. The secretary of the Association must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision.

8. Honorary life membership

1. A member of the Association who has rendered outstanding service for a period of at least ten years may be recommended for honorary life membership.
2. The recommendation, signed by a minimum of 5 members, must be submitted in the first instance in writing to the management committee.
3. If approved by the management committee the recommendation is to be submitted at the next annual or general meeting of the Association.
4. Honorary membership will be granted if the resolution is passed by a two-thirds majority of those present and voting.

9. When membership ends

1. A member may resign from the Association by giving a written notice of resignation to the secretary.
2. The resignation takes effect at—
 - (a) the time the notice is received by the secretary; or
 - (b) if a later time is stated in the notice—the later time.
3. The management committee may terminate a member's membership if the member—
 - (a) is convicted of an indictable offence; or
 - (b) does not comply with any of the provisions of these rules; or

- (c) has membership fees in arrears at 1st October each year; or
 - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Association.
4. Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
 5. If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the committee must give the member a written notice of the decision.

10. Appeal against rejection or termination of membership

1. A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the person's intention to appeal against the decision.
2. A notice of intention to appeal must be given to the secretary within 1 month after the person receives written notice of the decision.
3. If the secretary receives a notice of intention to appeal, the secretary must, within 1 month after receiving the notice, call a general meeting to decide the appeal.

11. General meeting to decide appeal

1. The general meeting to decide an appeal must be held within 3 months after the secretary receives the notice of intention to appeal.
2. At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
3. Also, the management committee and the members of the committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
4. An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
5. If a person whose application for membership has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the membership fee paid by the person.

12. Register of members

1. The management committee must keep a register of members of the Association.
2. The register must include at a minimum the following particulars for each member—
 - (a) the full name of the member;
 - (b) the residential address of the member;
 - (c) the date of admission as a member;
 - (d) the date of death or resignation of the member;
 - (e) details about the termination or reinstatement of membership;
 - (f) any other particulars the management committee or the members at a general meeting decide.
3. The register must be open for inspection by members of the Association at all reasonable

times.

4. A member must contact the secretary to arrange an inspection of the register.
5. However, the management committee may, on the application of a member of the Association, withhold information about the member (other than the member's full name) from the register available for inspection if the management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

13. Prohibition on use of information on register of members

1. A member of the Association must not—
 - (a) use information obtained from the register of members of the Association to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes.

14. Appointment or election of secretary

1. The secretary must be an individual residing in Queensland, or in another State but not more than 65km from the Queensland border, who is—
 - (a) a member of the Association elected by the Association as secretary; or
 - (b) any of the following persons appointed by the management committee as secretary—
 - i. a member of the Association's management committee;
 - ii. another member of the Association;
 - iii. another person.
2. If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the Association within 1 month after the vacancy happens.
3. If the management committee appoints a person mentioned in sub rule (1)(b)(ii) as secretary, other than to fill a casual vacancy on the management committee, the person does not become a member of the management committee.
4. However, if the management committee appoints a person mentioned in sub rule (1)(b)(ii) as secretary to fill a casual vacancy on the management committee, the person becomes a member of the management committee.
5. If the management committee appoints a person mentioned in sub rule (1)(b)(iii) as secretary, the person does not become a member of the management committee.
6. In this rule—

casual vacancy, on a management committee, means a vacancy that happens when an elected member of the management committee resigns, dies or otherwise stops holding office.

15. Removal of secretary

1. The management committee of the Association may at any time remove a person appointed by the committee as the secretary.
2. If the management committee removes a secretary who is a person mentioned in rule

14(1)(b)(i), the person remains a member of the management committee.

3. If the management committee removes a secretary who is a person mentioned in rule 14(1)(b)(ii) and who has been appointed to a casual vacancy on the management committee under rule 14(5), the person remains a member of the management committee.

16. Functions of secretary

1. The secretary's functions include, but are not limited to—
 - (a) calling meetings of the Association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the president of the Association;
 - (b) keeping minutes of each meeting;
 - (c) keeping copies of all correspondence and other documents relating to the Association;
 - (d) maintaining the register of members of the Association.

17. Membership of management committee

1. The management committee of the Association consists of a president, a treasurer and any other members the Association members elect at a general meeting.
2. A member of the management committee, other than a secretary appointed by the management committee under rule 14(1)(b)(iii), must be a financial member of the Association.
3. At each annual general meeting of the Association, the members of the management committee must retire from office, but are eligible, on nomination, for re-election.
4. A member of the Association may be appointed to a casual vacancy on the management committee under rule 20.

18. Electing the management committee

1. A member of the management committee may only be elected as follows—
 - (a) any 2 financial members of the Association may nominate another financial member (the candidate) to serve as a member of the management committee.
 - (b) the nomination must be—
 - i. in writing; and
 - ii. signed by the candidate and the members who nominated him or her; and
 - iii. given to the secretary at least 14 days before the annual general meeting at which the election is to be held;
 - (c) each member of the Association present and eligible to vote at the annual general meeting may vote for 1 candidate for each vacant position on the management committee;
 - (d) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
2. A person may be a candidate only if the person—
 - (a) is an adult; and
 - (b) is not ineligible to be elected as a member under section 61A of the Act.
3. The president is eligible for election to that office in not more than 3 consecutive years.
4. 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 immediately preceding the annual general meeting.

5. If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.
6. The management committee must ensure that, before a candidate is elected as a member of the management committee, the candidate is advised—
 - (a) whether or not the Association has public liability insurance; and
 - (b) if the Association has public liability insurance—the amount of the insurance.

19. Resignation, removal or vacation of office of management committee member

1. A member of the management committee may resign from the committee by giving written notice of resignation to the secretary.
2. The resignation takes effect at—
 - (a) the time the notice is received by the secretary; or
 - (b) if a later time is stated in the notice—the later time.
3. A member may be removed from office at a general meeting of the Association if a majority of the members, present and eligible to vote at the meeting, vote in favour of removing the member.
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.
5. A member has no right of appeal against the member's removal from office under this rule.
6. A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

20. Vacancies on management committee

1. If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the Association to fill the vacancy until the next annual general meeting.
2. The continuing members of the management committee may act despite a casual vacancy on the management committee.
3. However, if the number of committee members is less than the number fixed under rule 23(1) as a quorum of the management committee, the continuing members may act only to—
 - (a) increase the number of management committee members to the number required for a quorum; or
 - (b) call a general meeting of the Association.

21. Functions of management committee

1. Subject to these rules or a resolution of the members of the Association carried at a general meeting, the management committee has the general control and management of the administration of the affairs, property and funds of the Association.
2. The management committee has authority to interpret the meaning of these rules and any matter relating to the Association on which the rules are silent, but any interpretation must

have regard to the Act, including any regulation made under the Act.

Note—

The Act prevails if the Association's rules are inconsistent with the Act—see section 1B of the Act.

3. The management committee may exercise the powers of the Association—
 - a) to borrow, raise or secure the payment of amounts of money; and
 - b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Association's property, both present and future; and
 - c) to purchase, redeem or pay off any securities issued; and
 - d) to borrow amounts from members and pay interest on the amounts borrowed; and
 - e) to mortgage or charge the whole or part of its property; and
 - f) to make investments, having regard to the principles set out in Sec. 24 of the Trusts Act 1973, and referred to generally as “the prudent person” rule.
4. For sub rule (3)(d), 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—
 - a) the financial institution for the Association; or
 - b) if there is more than one financial institution for the Association—the financial institution nominated by the management committee.

22. Meetings of management committee

1. Subject to this rule, the management committee may meet and conduct its proceedings as it considers appropriate.
2. The management committee must meet at least once every 2 months to exercise its functions.
3. The management committee must decide how a meeting is to be called.
4. Notice of a meeting is to be given in the way decided by the management committee.
5. The management committee may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
6. A committee member who participates in the meeting as mentioned in sub rule (5) is taken to be present at the meeting.
7. A question arising at a committee meeting is to be decided by a majority vote of members of the committee present at the meeting and, if the votes are equal, the question is decided in the negative.
8. A member of the management committee must disclose any possible conflict of interest and must not be present, participate in discussions or vote on a question about a contract or proposed contract with the Association.
9. The president is to preside as chairperson at a management committee meeting.
10. If there is no president or if the president is not present within **15** minutes after the time fixed for a management committee meeting, a vice president will be chairman, or if a vice president is unavailable the members may choose 1 of their number to preside as chairperson at the meeting.

23. Quorum for, and adjournment of, management committee meeting

1. At a management committee meeting, more than 50% of the members elected to the committee as at the close of the last general meeting of the members form a quorum.
2. If there is no quorum within 30 minutes after the time fixed for a management committee meeting called on the request of members of the committee, the meeting lapses.
3. If there is no quorum within 30 minutes after the time fixed for a management committee meeting called other than on the request of the members of the committee—
 - (a) the meeting is to be adjourned for at least 1 day;
 - (b) the members of the management committee who are present are to decide the day, time and place of the adjourned meeting.
4. If, at an adjourned meeting mentioned in sub rule 3, there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

24. Special meeting of management committee

1. If the secretary receives a written request signed by at least 33% of the members of the management committee, the secretary must call a special meeting of the committee by giving each member of the committee notice of the meeting within 14 days after the secretary receives the request.
2. A special meeting of the management committee may also be called by request of the president or by not less than 7 day's notice given by the secretary to members of the management committee.
3. If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.
4. A request for a special meeting must state—
 - (a) why the special meeting is called; and
 - (b) the business to be conducted at the meeting.
5. A notice of a special meeting must state—
 - (a) the day, time and place of the meeting; and
 - (b) the business to be conducted at the meeting.
6. A special meeting of the management committee must be held within 14 days after notice of the meeting is given to the members of the management committee.

25. Minutes of management committee meetings

1. The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting are entered in a minute book.
2. The minutes of each management committee meeting must be tabled at the next management committee meeting, corrected as necessary, approved as accurate by the management committee and signed by the chairman.

26. Appointment of sub-committees

1. The management committee may appoint a sub-committee consisting of members of the Association considered appropriate by the committee to help with the conduct of the Association's operations.
2. A member of the sub-committee who is not a member of the management committee is not entitled to vote at a management committee meeting.

3. A sub-committee may elect a chairperson of its meetings.
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 one of their number to be chairperson of the meeting.
5. A sub-committee may meet and adjourn as it considers appropriate.
6. A question arising at a sub-committee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

27. Acts not affected by defects or disqualifications

1. An act performed in good faith by the management committee, a sub-committee or a person acting as a member of the management committee is taken to have been validly performed.
2. Sub rule 1 applies even if the act was performed when—
 - (a) 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
 - (b) a management committee member, subcommittee member or person acting as a member of the management committee was disqualified from being a member.

28. Resolutions of management committee without meeting

1. A written resolution signed by each member of the management committee is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.
2. A resolution mentioned in sub rule 1 may consist of several documents in like form, each signed by one or more members of the committee.

29. Annual general meetings

1. An annual general meeting must be held—
 - (a) at least once each year; and
 - (b) within 3 months after the end date of the Association's reportable financial year.

30. Business to be conducted at annual general meeting

1. The following business must be conducted at each annual general meeting of the Association—
 - (a) receiving the president's report;
 - (b) receiving the Association's financial statement, and audit report, for the last reportable financial year;
 - (c) presenting the financial statement and audit report to the meeting for adoption;
 - (d) electing members of the management committee;
 - (e) appointing an auditor for the present financial year.
 - (f) general business approved by the president or of which 7 days' notice in writing to the secretary has been given by a member.

31. Notice of general meeting

1. A general meeting must be held within three months of the receipt by the secretary of a direction, request or notice of intention to appeal as described under sub rule 2.
2. The secretary must call a general meeting by giving each member of the Association notice of the meeting within 14 days after—

- (a) being directed to call the meeting by the management committee; or
 - (b) being given a written request signed by—
 - i. at least 33% of the number of members of the management committee when the request is signed; or
 - ii. at least the number of ordinary members of the Association equal to double the number of members of the Association on the management committee when the request is signed plus one; or
 - (c) being given a written notice of an intention to appeal against the decision of the management committee—
 - i. to reject an application for membership; or
 - ii. to terminate a person's membership.
3. If the secretary is unable or unwilling to call the meeting, the president must call the meeting.
 4. The secretary must give at least 14 days notice of the meeting to each member of the Association.
 5. The management committee may decide the way in which the notice must be given.
 6. However, notice of the following meetings must be given in writing—
 - (a) a meeting called to hear and decide the appeal of a person against the management committee's decision—
 - i. to reject the person's application for membership of the Association; or
 - ii. to terminate the person's membership of the Association;
 - (b) a meeting called to hear and decide a proposed special resolution of the Association.
 7. A notice of a general meeting must state —
 - (a) why the meeting is called; and
 - (b) the business to be conducted at the meeting.

32. Quorum for, and adjournment of, general meeting

1. The quorum for a general meeting is at least the number of members elected or appointed to the management committee at the close of the Association's last general meeting plus 1.
2. No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.
3. If there is no quorum 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.
4. If there is no quorum 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—
 - (a) the meeting is to be adjourned for at least 7 days; and
 - (b) the management committee is to decide the day, time and place of the adjourned meeting.
5. The chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
6. If a meeting is adjourned under sub rule (5), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
7. The secretary is not required to give the members notice of an adjournment or of the

business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days. 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.

33. Procedure at general meeting

1. A member may take part and vote in a general meeting in person, by proxy, by attorney or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
2. A member who participates in a meeting as mentioned in sub rule 1 is taken to be present at the meeting.
3. At each general meeting—
 - (a) the president is to preside as chairperson; and
 - (b) 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, a vice president will chair the meeting, and if a vice president is not available the members present must elect 1 of their number to be chairperson of the meeting; and
 - (c) the chairperson must conduct the meeting in a proper and orderly way.

34. Voting at general meeting

1. At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present.
2. Each member present and eligible to vote is entitled to one vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.
3. 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.
4. The method of voting is to be decided by the management committee.
5. However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.
6. The chairman will appoint two members to conduct the ballot in whatever way the chairman determines. The result of the ballot will be deemed to be the resolution of the meeting at which the ballot was demanded.

35. Proxies

1. An instrument appointing a proxy must be in writing and be in the following or similar form—

BUDERIM CRAFT COTTAGE 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) general meeting of the Association, to be held on theday of 20 and at any adjournment of the meeting. Signed thisday of 20 Signature
This form is to be used *in favour of/*against the following resolutions— * [<i>strike out whichever is not wanted.</i>] (Unless otherwise instructed, the proxy may vote as he/she thinks fit.) [List relevant resolutions]

2. The instrument appointing a proxy must be signed by the appointer or the appointer’s attorney properly authorised in writing.
3. A proxy may be a member of the Association or another person.
4. The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.
5. Each instrument appointing a proxy must be given to the secretary before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote.
6. Unless otherwise instructed by the appointer, the proxy may vote as the proxy considers appropriate.

36. Minutes of general meetings

1. The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered in a minute book.
2. To ensure the accuracy of the minutes—
 - (a) 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
 - (b) The minutes of each meeting must be tabled at the next meeting, corrected as necessary, approved as accurate and signed by the chairman.
3. If asked by a member of the Association, the secretary must, within 28 days after the request is made—
 - (a) make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place; and
 - (b) give the member copies of the minutes of the meeting.

4. The Association may require the member to pay the reasonable costs of providing copies of the minutes.

37. By-laws

1. The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Association.
2. A by-law may be set aside by a vote of members at a general meeting of the Association.

38. Alteration of rules

1. Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
2. However an amendment, repeal or addition is valid only if it is registered by the chief executive.

39. Common seal

1. The management committee must ensure the Association has a common seal.
2. The common seal must be—
 - (a) kept securely by the management committee; and
 - (b) used only under the authority of the management committee.
3. Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by—
 - (a) the secretary; or
 - (b) another member of the management committee; or
 - (c) someone authorised by the management committee.

40. General financial matters

1. On behalf of the management committee, the treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.
2. The income and property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers.

41. Funds and accounts

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.
2. Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
3. All amounts must be deposited in the financial institution account as soon as practicable after receipt.
4. Any payment exceeding that specified in the *Queensland Association Incorporations Regulation* as the maximum payment which may be made from a petty cash account kept on the imprest system must be made by cheque or electronic funds transfer.
5. If a payment is made by cheque, the cheque must be signed by any 2 of the following—
 - (a) the president;
 - (b) the secretary;

- (c) the treasurer;
 - (d) any other member of the association who has been authorised by the management committee to sign cheques issued by the association.
6. However, one of the persons who signs the cheque must be the president, the secretary or the treasurer.
 7. Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed 'not negotiable'.
 8. Payments by electronic funds transfer must be authorised by the treasurer plus one other person approved by the management committee.
 9. 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.
 10. All expenditure must be approved or ratified at a management committee meeting.
 11. All capital expenditure must have prior approval of the management committee.

42. Documents

The management committee must ensure the safe custody of books, documents, instruments of title and securities of the Association.

43. Financial year

The end date of the Association's financial year is 30th September in each year.

44. Distribution of surplus assets to another entity

1. This rule applies if the Association—
 - (a) is wound-up under part 10 of the Act; and
 - (b) has surplus assets.
2. The surplus assets must not be distributed among the members of the Association.
3. The surplus assets must be given to another entity—
 - (a) having objects similar to the Association's objects; and
 - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.

DEFINITIONS

1. **Act** means the *Associations Incorporation Act 1981*.
2. **Association** means the Buderim Craft Cottage Association Incorporated.
3. **Interpretation** Section 47 of the Act states that “*if a matter is not provided for under an incorporated association’s own rules but the matter is provided for under a provision of the model rules (the additional provision), the association’s own rules are taken to include the additional provision.*”
4. **Secretary.** Under Section 65 of the Act “*If a vacancy happens in the office of secretary for the incorporated association, the members of the management committee must ensure a secretary is appointed or elected for the association within 1 month after the vacancy happens.*
Maximum penalty for each member of the management committee—10 penalty units.
It is a defence to a prosecution of a member of the management committee for an offence against this section for the member to prove he or she took all reasonable steps to ensure this section was complied with.”
5. **Composition of management committee** Section 61 of the Act states “*An incorporated association must have a management committee. All members of the management committee must be adults. The management committee must have at least 3 members of whom 1 holds the office of president and another holds the office of treasurer.*”
6. **Eligibility criteria for management committee** Under section 61A of the Act a person is ineligible to serve on a management committee if he or she is involved in bankruptcy proceedings or currently serving a prison sentence (other than for unpaid fines) for which the rehabilitation period has not expired . Under section 64(2) death is an additional reason to vacate the office.
7. **Casual vacancy on management committee** means a vacancy that happens when an elected member of the management committee resigns, dies or otherwise ceases holding office.
8. **Special resolution** A resolution that must be passed at a general meeting by the votes of 75% of the members who are present and entitled to vote. Matters that must be decided by special resolution are:
 - a) a change of name for the Association;
 - b) a change to the Association's rules; and
 - c) the decision to wind up the Association.
9. **Chief executive** means Office of Fair Trading.
10. **Surplus assets** means, in relation to an incorporated association, the assets after payment of the debts and liabilities remaining on a winding-up of the incorporated association and the costs, charges and expenses of the winding-up.
11. **Capital expenditure** includes any expenditure incurred for the following purposes:
 - a) for acquiring fixed assets such as land, building, plant and machinery, furniture and fittings, motor vehicles; and
 - b) For making improvements and extensions to fixed assets.Generally capital assets are those which are expected to be utilised for more than one year.