



**FLOORBALL
ACT**

**FLOORBALL ACT INCORPORATED
(Floorball ACT)**

(ACT Incorporated Association A05991)

RULES OF THE ASSOCIATION

July 2021

Version: 5

VERSION CONTROL

No.	DATE	CHANGES MADE
V1	2008	Foundation Constitution
V2	May 2012	Updated to reflect Floorball Australia governance
V3	March 2014	Updated to reflect current member classes, misconduct rules, the addition of Part 6 – Member Organisations and minor changes regarding the inspection of books and Auditor requirements.
V4	November 2019	<p>Updated to reflect:</p> <ul style="list-style-type: none"> • Change of name; • Incorporation; • Refinement of Committee positions; • Changes to Floorball Australia membership structure. <p>Addition of Dispute Resolution process</p>
V5	July 2021	<p>Update to Interpretations and associated changes throughout Recognition of Floorball Australia's policies.</p> <p>Updates to membership fees, structure and applications and the arrangement of Part II</p> <p>Clarify the outcome of a General Meeting called under Section 29 or Section 38 that fails to achieve a quorum</p> <p>Dispute Resolution process under Section 19</p> <p>Clarify that the rules for serving notices & documents via email are the same as for notices & documents served via post (Section 60)</p> <p>Associated minor wording updates</p> <p>General formatting</p>

TABLE OF CONTENTS

PART I.	PRELIMINARY	2
PART II.	MEMBERSHIP	7
PART III.	THE COMMITTEE	14
PART IV.	GENERAL MEETINGS	21
PART V.	MEMBER ORGANISATIONS	26
PART VI.	MISCELLANEOUS	29

FLOORBALL ACT INCORPORATED RULES OF THE ASSOCIATION

PART I. PRELIMINARY

1. INTRODUCTION

- 1.1. The name of the Association shall be Floorball ACT Incorporated (Floorball ACT).
- 1.2. Floorball ACT is a State Sporting Organisation (SSO), the peak governing body for the sport of floorball in the Australian Capital Territory. Floorball ACT is affiliated with Floorball Australia Limited (**Floorball Australia**) as the National Sporting Organisation, recognised by Sport Australia, for the sport of floorball in Australia. The Association will adopt Floorball Australia's policies, applicable to it as a member, to the extent the policies are consistent with these Rules and the Act.
- 1.3. Floorball ACT is a separately incorporated body that is subject to the *Associations Incorporation Act 1991* (**the Act**).

2. INTERPRETATION

- 2.1. In these Rules unless the contrary intention appears:
 - a. **"ACT"** means Australian Capital Territory;
 - b. **"the Act"** means the *Associations Incorporation Act 1991* (ACT);
 - c. **"AGM"** means Annual General Meeting of the Association;
 - d. **"Association"** means Floorball ACT Incorporated (Floorball ACT);
 - e. **"Committee"** means the Committee of the Association as defined in **Section 21**;
 - f. **"Competition Complaints Policy"** means the Association's internal policy so entitled;
 - g. **"Financial Year"** means the year ending on 30 April;
 - h. **"Floorball Australia"** means Floorball Australia Limited, or a designated successor organisation;
 - i. **"General Meeting"** means a meeting of the Association under **Section 35**;
 - j. **"Member"** means a member of the Association which has been entered into the Register of Members in accordance with **Section 10**;
 - k. **"Member Organisation"** means an organisation which has been granted membership to the Association under **Section 45**;
 - l. **"Officer"**, in relation to the Association, means:
 - i. a member of the Committee;
 - ii. the holder of any office of the Association (however described) or a person occupying any office whether validly appointed or not; and
 - iii. any other person who is concerned in or takes part in the management of the Association's affairs;

- iv. but **does not** include a patron or the holder of another honorary office of the Association if the office does not confer on its incumbent the right to participate in the management of the Association's affairs;
 - m. **"President"** means the President of the Association;
 - n. **"Register of Members"** means a list of Members and the status of their membership;
 - o. **"the Regulations"** means the Associations Incorporation Regulations;
 - p. **"Resolution"** means a motion passed by a majority vote of the persons eligible to vote, voting on the motion either in person or by proxy;
 - q. **"Rules of the Game"** means the current edition of the International Floorball Federation Rules of the Game;
 - r. **"Secretary"** means the Secretary of the Association;
 - s. **"Special Resolution"** (see section 70 of the Act) means a Resolution which:
 - i. is passed at a General Meeting, being a meeting with at least twenty-one (21) days' notice, accompanied by notice of the intention to propose the Resolution as a Special Resolution given to Members; and
 - t. is passed by at least three-quarters of the vote of those Members who, being entitled to vote, vote in person or vote by proxy at the meeting.
 - u. **"Territory"** means the Australian Capital Territory; and
 - v. **"Treasurer"** means the Treasurer of the Association.
- 2.2. All words importing the singular or plural number shall include the plural and the singular number respectively. All words importing the masculine or feminine gender shall include the feminine and masculine gender respectively.
- 2.3. These Rules should be read in conjunction with the Act.
- 2.4. In these Rules, reference to writing will, unless the contrary intention appears, be construed as including reference to printing, lithography, photography and other modes of representing or reproducing words in visible form, including via email.
- 2.5. In these Rules:
- a. a reference to a function includes a reference to a power, authority and duty; and
 - b. a reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty.
- 2.6. The provisions of the "Interpretation Act 1967" apply to these Rules.

3. PURPOSE OF THE ASSOCIATION

- 3.1. The purpose of the Association is to administer, govern, develop and promote the sport of floorball in the ACT and surrounding region.

4. OBJECTIVES OF THE ASSOCIATION

- 4.1. The objectives of the Association are:

- a. to establish a framework for local floorball competitions and govern the participation of those taking part in these competitions;
- b. to encourage participation from players of all genders, at all levels and ages (schools and junior players, masters and veterans players, social players, university students and disabled athletes), and promote opportunities for the advancement of player development to higher levels;
- c. to liaise with other regional, interstate, national and overseas floorball bodies to keep up-to-date with developments in the sport elsewhere and participate in the direction of the sport within Australia and at international level for the benefit of Members;
- d. to maintain a body of information resources and seek literature, administration and training aids from other floorball bodies and promote their availability to Members;
- e. to actively promote the sport of floorball amongst the general public and other sporting groups to gain its wider acceptance, recognition and support;
- f. to actively promote floorball as a fun, inclusive, accepting and enjoyable means of physical activity for the community;
- g. to establish a network of suitably qualified officials and administrators and develop their expertise by providing opportunities for training, experience and recognition; and
- h. to embrace the ideals of fair play, sportsmanship, respect and equality.

5. NON-PROFIT, NON-POLITICAL, NON-DENOMINATIONAL AND NON-DISCRIMINATORY ORGANISATION

- 5.1. The Association shall be a non-profit organisation whose income and property shall be applied solely towards the promotion of its objectives.
- 5.2. No portion of the Association's income and property shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise howsoever by way of any profit to its Members or relatives of Members.
- 5.3. This shall not prevent the reimbursement of legitimate expenditure properly incurred by a Member on behalf of the Association and the payment in good faith of remuneration, including honoraria, to any Officer or employee of the Association or to any Member in return for any services actually rendered to the Association or reasonable and proper rental for premises let by any Member.
- 5.4. The Association shall be a non-political, non-denominational and non-discriminatory organisation.

6. POWERS OF THE ASSOCIATION

- 6.1. The Association may exercise its powers subject to these Rules. The Association also has power:
 - a. to reserve the right of admission or omission to individuals and/or teams in competitions organised by the Association;

- b. to be solely responsible for the selection of personnel to represent the ACT in floorball and for the control of the selection processes of ACT representative teams in any interstate tournament or championship;
- c. to print, publish and distribute such newsletters, periodicals, books, leaflets or other documents or articles as the Committee or Resolution of a General Meeting may think desirable for the promotion of the objectives and purposes of the Association and to make resources available for the use of its Members;
- d. to take such steps as the Committee or General Meetings may from time to time deem expedient for the purposes of raising funds or procuring contributions to the funds of the Association, whether by way of donations, subscriptions or otherwise;
- e. to accept any gift or grant, whether subject to a special trust or not, for any one or more of the objectives or purposes of the Association;
- f. to borrow or raise money in such a manner as approved by the Committee or by Resolution passed at a General Meeting, and to secure the payment of money so raised or borrowed or the payment of any other debt or liability of the Association by giving mortgages, charges or securities upon all or any property of the Association;
- g. subject to the provisions of the *Trustee Act 1957*, as amended, to invest any moneys of the Association not immediately required for any of its objectives or purposes in such a manner as the Committee may from time to time determine;
- h. to buy, sell, supply and deal in all kinds of non-prohibited goods, equipment or provisions required by the Association, its Members or non-members who are participating in the activities of the Association and who have been authorised to buy, sell and deal by the Committee;
- i. to acquire and/or dispose of, by any legal means, any property that may be deemed necessary or convenient to achieve any of the objectives or purposes of the Association;
- j. to construct, improve, maintain, develop, manage and/or alter any buildings or other property that is deemed necessary or convenient to achieve any of the objectives or purposes of the Association;
- k. to affiliate and liaise with any organisation that will further the objectives and purposes of the Association and the interests of the sport of floorball generally;
- l. to establish and support, or aid in the establishment or support of any other body which has objectives which are consistent with the objectives and purposes of the Association;
- m. to delegate such Members as the Committee or General Meetings may decide from time to time, to discuss matters of interest to the Association at meetings of interstate, national or international floorball organisations, or sub committees thereof. Such persons shall report the results of these meetings to the Committee or General Meetings of the Association;
- n. to enter into any arrangements with any government or authority that are incidental or conducive to the attainment of the objectives and purposes of the Association and to obtain from any such government or authority any rights, privileges and concessions which the Association may think desirable to obtain; and to carry out, exercise and comply with any arrangements, rights, privileges and concessions determined by the government or authority;

- o. to appoint, employ, remove or suspend such persons as may be necessary or conducive to achieve the objectives and purposes of the Association;
- p. to remunerate, as may be approved by the Committee or General Meeting of the Association, any person or body corporate for services rendered, or to be rendered, in the legitimate furtherance of the objectives and purposes of the Association; and
- q. to do all such lawful things, not inconsistent with the provisions of these Rules, as are incidental or conducive to the attainment of the objectives or purposes of the Association.

PART II. MEMBERSHIP

7. CLASSES OF MEMBERS

- 7.1. Members shall consist of the following classes:
- Senior Members** – players aged 18 or over.
 - Junior Members** – players under 18 years of age.
 - Associate Member** – non-playing Members including administrators or referees.
 - Short-Term Member** – new players wishing to try floorball with the benefit of insurance coverage for a short, defined period.
 - Life Member** – persons recognised for their outstanding services to the Association in accordance with **Section 8**.
- 7.2. The Committee may, from time to time, amend classes of membership and determine additional classes of membership.

8. HONORARY LIFE MEMBERS

- 8.1. The Association may provide, on recommendation from the Committee, honorary life membership at an AGM to a person in recognition of their outstanding services to the Association.
- 8.2. Recommendations proposing persons for life membership may also be submitted by Members, in writing, for the consideration of the Committee.
- 8.3. Life membership enjoys all the rights and privileges of full membership.
- 8.4. Upon life membership being conferred, the person's details shall be entered in the Register of Members. Membership is conferred at the time of formal appointment not from the time of entry of their details.

9. MEMBERSHIP QUALIFICATIONS

- 9.1. Any person interested in the purposes and objectives of the Association may apply for membership of the Association.
- 9.2. A person is qualified to be a Member if:
- pursuant to sections 21(2)(a) and 21(2)(b) of the Act, the person was a Member at the time of incorporation of the Association and has not ceased to be a Member at any time since then; or
 - the person:
 - has applied for membership in accordance with **Section 10.1**;
 - has been approved for membership of the Association by the Committee; and
 - the Association has received the person's relevant membership fee under **Section 12** for the current registration period, except in the case of Life Members.

10. APPLICATION FOR MEMBERSHIP

- 10.1. An application by a person for membership of the Association:
 - a. shall be submitted online via the website designated and advertised by the Committee for this purpose;
 - b. shall be lodged in the manner prescribed on the website;
 - c. shall explicitly name Floorball ACT, or an approved member organisation of Floorball ACT, as the player's club; and
 - d. shall be submitted with the specified membership fee under **Section 12**.
- 10.2. As soon as practicable after receiving an application for membership, the Treasurer or other member of the Committee (as determined by the Committee) shall refer the application to the Committee which must decide whether to approve or reject the application.
- 10.3. Where the Committee rejects an application for membership, the Secretary must, as soon as practicable after the decision, notify the applicant of that rejection including reasons for rejection and the person's right of appeal under **Section 11**. Such membership fees as may have been paid by the nominee shall be refunded in full.
- 10.4. When the Committee approves an application for membership, the Treasurer or other member of the Committee (as determined by the Committee) will confirm the Association's receipt of the relevant membership fee under **Section 12** and then enter the applicant's name in the Register of Members. Upon the name being entered, the applicant will become a Member.

11. RIGHT OF APPEAL OF PERSONS REJECTED FOR MEMBERSHIP OF THE ASSOCIATION

- 11.1. Where a person's application for membership of the Association is rejected by the Committee, that person may, within fourteen (14) days of receiving written notification thereof, lodge with the Secretary his or her intention to appeal against the decision of the Committee.
- 11.2. Upon receipt of a notification of intention to appeal against rejection for membership by the Secretary, the Committee shall convene, within thirty (30) days of the date of receipt of such notice, a General Meeting to determine the appeal.
- 11.3. At a General Meeting to hear an appeal, the appellant shall be given the opportunity to fully present his/her case and subsequently the Committee or those Members thereof who rejected the application for membership shall likewise have the opportunity of presenting their case.
- 11.4. An appeal against rejection for membership will be determined by secret ballot of the Members present at such meeting. Such a determination is binding.

12. FEES, SUBSCRIPTIONS, ETC

- 12.1. The annual membership fee shall be the only fee payable to determine membership eligibility to the Association.
- 12.2. The annual membership fee shall be, unless altered as per **Section 12.3**:
 - a. **Senior Member:** \$80 per 12 months.
 - b. **Junior Member:** \$40 per 12 months.
 - c. **Associate Member:** \$10 per 12 months.

- d. **Short-Term Member:** \$10 per one (1) month.
- 12.3. The annual membership fee may be updated by the Committee from time to time.
- 12.4. The membership fee shall fall due on the expiration of the Member's current registration period.

13. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

- 13.1. A right, privilege or obligation which a person has by being a Member:
 - a. is not capable of being transferred or transmitted to another person; and
 - b. terminates upon cessation of the person's membership.

14. CESSATION OF MEMBERSHIP

- 14.1. A person ceases to be a Member if the person:
 - a. dies or, for a Member Organisation, closes;
 - b. resigns in accordance with **Section 15**;
 - c. is expelled from the Association in accordance with **Section 17**; or
 - d. fails to renew membership by paying the annual membership fee of the Association.
- 14.2. Where a person ceases to be a Member, the Secretary or other nominated member of the Committee shall make an appropriate entry in the Register of Members recording the date on which the Member ceased to be a Member.

15. RESIGNATION OF MEMBERSHIP

- 15.1. A Member is not entitled to resign from membership of the Association except in accordance with this section of the Rules.
- 15.2. A Member who has paid all amounts payable by the Member to the Association may resign from membership by first giving notice, of a period not less than 1 month, in writing to the Secretary of the Member's intention to resign and, at the end of the period of notice, the Member ceases to be a Member.

A Member shall immediately forfeit any membership fees paid to the Association upon resignation of their membership.

16. LIABILITIES OF OFFICERS AND MEMBERS

- 16.1. The liability of an Officer or a Member to contribute towards the payment of debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the Officer or Member in respect of membership of the Association as required by **Section 12**.
- 16.2. The Association, individual Members or persons acting on behalf of the Association shall not be responsible for the safety or well-being of any Member or person participating in activities

organised by the Association. Every Member or person participating in the activities of the Association shall do so at his or her own risk.

- 16.3. **Section 16.2** shall not preclude the Association from taking out any insurance policies deemed necessary to protect itself, the Committee, individual Members or persons acting on behalf of the Association against liability for personal injury to any Member or person participating in activities organised by the Association.

17. DISCIPLINING OF MEMBERS BY THE COMMITTEE

- 17.1. Where the Committee is of the opinion that a Member:
- has persistently refused or neglected to comply with a provision of these Rules;
 - has committed serious and/or repeated infraction(s) contrary to these Rules, Floorball ACT policy, or Floorball Australia policy;
 - has persistently and wilfully acted in a manner prejudicial to the interests of the Association; or
 - has not paid appropriate fees or fines as determined by the Committee, or served penalties as prescribed by the Association,
the Committee may, by Resolution:
 - expel the Member from the Association; or
 - suspend the Member from such rights and privileges of membership as the Committee may determine for a specified period.
- 17.2. A Resolution under **Section 17.1** is of no effect unless the Committee, at a meeting held not earlier than three (3) days and not later than fourteen (14) days after service on the Member of a notice under **Section 17.3**, confirms the Resolution in accordance with this Rule.
- 17.3. Where the Committee passes a Resolution under **Section 17.1**, the Secretary shall as soon as practicable, serve a written notice on the Member:
- setting out the Resolution of the Committee and the grounds on which it is based;
 - stating that the Member may address the Committee at a meeting to be held not earlier than three (3) days and not later than fourteen (14) days after service of the notice;
 - stating the date, place and time of that meeting; and
 - informing the Member that the Member may do either or both of the following:
 - attend and speak at that meeting;
 - submit to the Committee at or prior to the date of the meeting written representations relating to that Resolution.
- 17.4. Subject to the rules of natural justice (section 50 of the Act), at a meeting of the Committee referred to in **Section 17.2**, the Committee shall:
- give to the Member mentioned in **Section 17.1**, an opportunity to make oral representations;
 - give due consideration to any written representations submitted to the Committee by that Member at or prior to the meeting; and
 - by Resolution of the present, unbiased Committee members determine whether to confirm or to revoke the Resolution of the Committee made under **Section 17.1**.

- 17.5. Where the Committee confirms the Resolution under **Section 17.4**, the Secretary must, within three (3) days after that confirmation, by notice in writing, inform the Member of that confirmation and of the Member's right of appeal under **Section 18**.
- 17.6. A Resolution confirmed by the Committee under **Section 17.4** does not take effect:
- a. until the expiration of the period within which the Member is entitled to appeal against the Resolution where the Member does not exercise the right of appeal within that period; or
 - b. where within that period the Member exercises the right of appeal, unless and until the Association confirms the Resolution in accordance with **Section 18.4**.
- 17.7. A person under suspension or who has been expelled from membership shall not be permitted to play in games of floorball conducted under the jurisdiction of the Association nor shall the person be permitted to represent the Association in any capacity unless specific approval is granted by the Committee.
- 17.8. A Member shall immediately forfeit any membership fees paid to the Association upon cancellation of his or her membership.
- 17.9. The Committee may reinstate any Member who has been suspended or expelled from membership of the Association. Upon reinstatement, such Members shall enjoy all the rights and privileges of full membership.

18. RIGHT OF APPEAL OF DISCIPLINED MEMBER

- 18.1. A Member may appeal to the Association against a Resolution of the Committee which is confirmed under **Section 17.4**, within fourteen (14) days after notice of the Resolution is served on the Member, by lodging with the Secretary a notice to that effect.
- 18.2. Upon receipt of a notice under **Section 18.1**, the Secretary shall notify the Committee which shall convene a General Meeting to be held within twenty-one (21) days after the date on which the Secretary received the notice or as soon as possible after that date.
- 18.3. Subject to the rules of natural justice (section 50 of the Act), at a General Meeting convened under **Section 18.2**:
- a. no business other than the question of the appeal shall be transacted;
 - b. the Committee and the Member shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
 - c. the Members present shall vote by secret ballot on the question of whether the Resolution made under **Section 17.4**, is confirmed or revoked.
- 18.4. If the meeting passes a Resolution in favour of the confirmation of the Resolution made under **Section 17.4**, that Resolution is confirmed.

19. RESOLUTION OF DISPUTES

- 19.1. This section applies to:
- a. any dispute under the Act;
 - b. disputes between Members; and

- c. disputes between a Member and the Association.
- 19.2. This section does not apply to the following as a result of having their own specific dispute resolution procedures:
- a. the rejection of an application for membership (**Section 10**), and any subsequent appeal of such decision (**Section 11**);
 - b. the direct disciplining of a Member by the Committee (**Section 17**), and any subsequent appeal of such decision (**Section 18**);
 - c. a dispute arising out of a breach of Floorball Australia's National Integrity Framework policies;
 - d. a dispute arising out of a game of floorball conducted under the jurisdiction of the Association with the respect to the rules of the competition or the Rules of the Game, which will be dealt with by the Association's Competition Complaints policy.
- 19.3. The parties to a dispute must first attempt to resolve the dispute between themselves within a period of fourteen (14) days from when the dispute arises.
- a. Should a dispute arise between Members, and the Committee considers it in the interests of the Association to do so, the Secretary may notify the parties, via writing, of the start of the fourteen (14) day period having commenced.
- 19.4. If after fourteen (14) days parties are unable to resolve the dispute, any party to the dispute may start the dispute resolution procedure by giving written notice to the Secretary of:
- a. the parties to the dispute; and
 - b. the matters that are the subject of the dispute.
 - c. Where the dispute is under the Act or between Members **Sections 19.6 to 19.9** inclusive apply.
 - d. Where the dispute is between Member(s) and the Association **Sections 19.7 to 19.9** inclusive apply.
- 19.5. A Member may appoint any person to act on behalf of the Member in the dispute resolution procedure.
- 19.6. Upon receipt of notice under **Section 19.4** the Secretary must within twenty-one (21) days convene a Committee meeting at which the dispute will be considered and determined.
- a. At least seven (7) days before this Committee meeting is to be held the Secretary must give each party to the dispute written notice of the Committee meeting and state:
 - i. when and where the Committee meeting is to be held; and,
 - ii. that the party, or the party's representative, may attend the meeting, and will be given a reasonable opportunity to make written and/or oral submissions to the Committee about the dispute.
 - b. At the Committee meeting to consider and determine the dispute, the Committee must:
 - i. give each party to the dispute, or the party's representative, a reasonable opportunity to make written and/or oral submissions to the Committee about the dispute; and,
 - ii. give due consideration to any such submissions made; and,
 - iii. determine the dispute by resolution of unbiased Committee members.

- c. The Committee must give each party to the dispute written notice of the Committee's determination, and the reasons for the determination, within seven (7) days after the Committee meeting at which the determination is made.
 - d. If either party to the dispute wishes to appeal the decision the party must, within fourteen (14) days after receiving notice of the Committee's determination, give written notice to the Secretary requesting the appointment of a conciliator who will hear the dispute by way of appeal of the Committee's decision.
- 19.7. The Secretary will, within seven (7) days of receiving notice under **Section 19.6.d** for disputes under the Act or between Members or **Section 19.4** where the dispute is between a Member and the Association, and with the help of the Committee, provide a list of potential conciliators to the parties to the dispute.
- a. The conciliator may be a current or former Member, but must not:
 - i. be biased towards either party; or
 - ii. have a personal interest in the matter that is subject to conciliation.
 - b. The conciliator must be confirmed by agreement by both parties to the dispute.
 - i. If there is no agreement on the choice of conciliator, the Committee shall appoint the conciliator in accordance with **Section 19.7.a**.
- 19.8. The conciliation process is to be as follows:
- a. The parties to the conciliation must attempt in good faith to settle the matter that is subject of the conciliation.
 - b. Each party to the conciliation must provide the conciliator with a written list of issues to be considered at the conciliation at least five (5) days before the conciliation is to take place.
 - c. In conducting the conciliation, the conciliator must:
 - i. give each party to the conciliation every opportunity to be heard;
 - ii. allow each party to give due consideration any written statement given by the other party; and
 - iii. ensure that natural justice is given to all parties throughout the conciliation process.
 - d. The conciliation is confidential and held *in camera* (meaning in private), and any information given at the conciliation cannot be used in any other proceedings that take place in relation to the matter that is subject of the conciliation.
 - e. The costs of the conciliation are to be paid by:
 - i. the party to the dispute who made the request for conciliation, as per **Section 19.6.d**; or
 - ii. where the dispute is between a Member and the Association shared equally between parties.
 - f. At the conclusion of the conciliation process the conciliator is to make a determination on the matter that is subject of the conciliation and notify each party to the dispute, in writing, of the decisions and the reasons for the decision.
 - g. Should conciliation be unable to resolve a dispute, either party to the conciliation may take the dispute to the relevant ACT tribunal, court, anti-discrimination body etc.
- 19.9. To the extent that doing so is compatible with **Sections 19.3 to 19.8** inclusive, the dispute resolution process is to be completed as soon as is reasonably practicable.

PART III. THE COMMITTEE

20. POWERS OF THE COMMITTEE

- 20.1. The Committee, subject to these Rules and to any Resolution passed by the Association in General Meeting:
- a. shall control and manage the affairs of the Association;
 - b. may exercise all such functions as may be exercised by the Association other than those functions that are required by these Rules to be exercised by the Association in General Meeting;
 - c. has the power to perform all such acts and do all such things as are legal and which appear to the Committee to be necessary or desirable for the proper management of the affairs of the Association;
 - d. has the authority to interpret the meaning of the rules contained in these Rules and any matter relating to the Association on which these Rules are silent; and
 - e. shall have the power to determine duties of members of the Committee consistent with the nature of the office to which they have been appointed. Any duties additional to those contained in these Rules shall be as laid down in the By-laws of the Association.
- 20.2. Only a member of the Association's Committee, so delegated by the Committee, may vote on behalf of the Association at National meetings or on National matters.
- 20.3. The Committee may draw up By-laws and policies not inconsistent with these Rules and the Rules of the Game adopted by Floorball ACT, for the day-to-day management of the affairs of the Association. The Association in General Meeting may veto any By-law or policy adopted by the Committee.

21. CONSTITUTION OF AND MEMBERSHIP OF THE COMMITTEE

- 21.1. The Committee Officers consist of:
- a. the office-bearers of the Association as listed in **Section 21.2**;
 - b. other elected positions as listed at **Section 21.3**; and
 - c. the President of each club affiliated with Floorball ACT, as an ordinary member.
- 21.2. The office-bearers of the Association are:
- a. President;
 - b. Vice-President;
 - c. Treasurer (Registrar);
 - d. Secretary (Public Officer);
 - e. Senior Delegate; and
 - f. Junior Delegate,
- each of whom shall be elected or co-opted pursuant to **Sections 22 and 23**.
- 21.3. Other Committee positions, that may operate from time to time, may include:
- a. Referee Coordinator;
 - b. Coaching Coordinator;
 - c. Player Development Coordinator;

- d. Women's Development Coordinator;
 - e. Member Protection Information Officer;
 - f. Webmaster;
 - g. First Aid Officer;
 - h. Equipment Coordinator;
 - i. Media and Public Relations Coordinator;
 - j. Competitions Coordinator/s;
 - k. Fundraising and Sponsorships Coordinator;
 - l. Social Coordinator; and
 - m. any other position as required to meet the purposes and objectives of the Association, that it be deemed necessary to have an election for the position.
- 21.4. Each member of the Committee will, subject to these Rules, hold office until all positions on the Committee are declared vacant at the next AGM, but will be eligible for re-election.
- 21.5. New members of the Committee duly elected at the AGM, in accordance with the provisions of these Rules, will take office immediately upon conclusion of those elections at that meeting.

22. ELECTION OF COMMITTEE MEMBERS

- 22.1. All Committee positions shall be filled by election at each AGM.
- 22.2. Nomination of candidates for election as members of the Committee:
- a. must be made in writing; and
 - b. must be delivered to the Secretary at least seven (7) days prior to the commencement of the AGM at which the election is to take place.
- 22.3. If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated will be deemed to be elected and further nominations shall be received at the AGM.
- 22.4. If insufficient further nominations are received, any vacant positions remaining on the Committee will be deemed to be vacancies.
- 22.5. If the number of nominations received is equal to the number of vacancies to be filled, the persons so nominated will be taken to be elected.
- 22.6. If the number of nominations received exceeds the number of vacancies to be filled, a ballot will be held.
- 22.7. The ballot for election of Committee members will be completed at the AGM in such a manner as the Committee may direct.
- 22.8. A Member is not eligible to simultaneously hold both the position of President and the position of president of an affiliated club for periods in excess of thirty (30) days. If this timeframe is not met, the position of President will be declared vacant and will be filled either by election or by co-option of a Member as provided for under **Section 23**.
- 22.9. A person is not eligible to simultaneously hold more than one (1) office-bearer position on the Committee for a period in excess of thirty (30) days. After this time, the vacant Committee position will be filled either by election or by co-option of a Member as provided for under **Section 23**.

- 22.10. Where a Member temporarily holds two Committee positions simultaneously, he or she will only be entitled to one (1) vote at Committee and General Meetings.
- 22.11. For the purpose of electing members of the Committee, the AGM will appoint a Member not standing for election, to conduct the elections.

23. POWER OF THE COMMITTEE TO CO-OPT MEMBERS TO THE COMMITTEE

- 23.1. Should any vacancy on the Committee remain by the end of the AGM, the Committee has the power to co-opt any Member to the vacant positions, subject to the provisions of **Sections 23.4** through **23.6**.
- 23.2. Where a casual vacancy occurs on the Committee (e.g., where a Committee member applies for leave of absence or fails to perform his allotted duties for a period of four (4) weeks without giving notice to the Committee or being granted leave by the Committee), the Committee may co-opt a replacement from the Association membership until such time as the Committee member returns or the next General Meeting at which a replacement will be elected.
- 23.3. In addition to the provisions of **Section 23.1**, the Committee may, subject to the provisions of **Sections 23.4** and **23.5**, co-opt up to two (2) additional Members to the Committee. These additional co-opted Members will have all the rights of members of the Committee in its deliberations.
- 23.4. A Member to be co-opted to the Committee will be sponsored by two (2) members of the Committee and that Member must consent to the sponsorship.
- 23.5. A Member proposed to be co-opted to the Committee will not take up a position on the Committee unless and until that Member is appointed to the Committee by Resolution at a Committee Meeting.
- 23.6. Such Members as may be co-opted to the Committee will hold office only until all positions on the Committee are declared vacant at the next AGM.

24. ELIGIBILITY TO STAND AND VOTE FOR POSITIONS ON THE COMMITTEE

- 24.1. A Member will not be eligible to stand for or vote for a position on the Committee unless that Member is at least eighteen (18) years of age.

25. SECRETARY

- 25.1. The Secretary will, as soon as practicable after being appointed as Secretary, notify the Association of his or her address.
- 25.2. The Secretary will keep minutes and details of:
- a. all elections and appointments of office-bearers and other Committee members;
 - b. the names of members of the Committee present at a Committee meeting and the names of Members present at a General Meeting; and
 - c. all proceedings at Committee and General Meetings.

- 25.3. Minutes of proceedings at a meeting must be signed by the member presiding at the meeting or by a member presiding at the next succeeding meeting.
- 25.4. The Secretary is responsible for receiving and attending to all correspondence and shall keep a register of all such correspondence.
- 25.5. The Secretary shall be the Public Officer of the Association, unless another person is appointed to that role by the Committee.

26. TREASURER

- 26.1. The Treasurer shall:
 - a. collect and receive all moneys due to the Association and make payments authorised by the Association; and
 - b. keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
- 26.2. In addition to preparing the Association's Annual Statement of Accounts as provided for at the AGM, the Treasurer shall, subject to the provisions of **Section 50**, prepare financial statements of the Association as required.
- 26.3. The Treasurer or other nominated member of the Committee (in accordance with **Section 10.4**) shall be responsible for oversight of the maintenance of the Register of Members.
- 26.4. The Treasurer shall be the Registrar of the Association.

27. VACANCIES ON THE COMMITTEE

- 27.1. For the purposes of these Rules, a vacancy in the office of a member of the Committee occurs if the member:
 - a. dies;
 - b. ceases to be a Member (e.g., fails to pay all arrears of subscriptions due by him within fourteen (14) days after he or she has received notice in writing from the Treasurer);
 - c. resigns from office by written notice signed by him or her and addressed to the Secretary;
 - d. is removed from office pursuant to **Section 28**;
 - e. becomes insolvent under administration within the meaning of the Corporations Law;
 - f. is unable to perform his or her duties due to mental or physical incapacity; or
 - g. is convicted (sub-section 63(1) of the Act), whether inside or outside the ACT, of:
 - i. an indictable offence in relation to the promotion, formation or management of a body corporate; or
 - ii. an offence involving fraud or dishonesty.
- 27.2. The position of any member of the Committee may, at the discretion of the Committee, be declared vacant if that member is absent without the consent of the Committee members for three (3) consecutive meetings of the Committee.

28. REMOVAL OF COMMITTEE MEMBERS

- 28.1. The Association in General Meeting may by Resolution, subject to the rules of natural justice (section 50 of the Act), remove any member of the Committee from their office before the expiration of the member's term of office.
- 28.2. If, at any time, a decision to remove a member of the Committee under **Section 27** or **28** is revoked, rescinded or cancelled, that revocation does not affect the validity of any decision made at a Committee meeting during the period of removal.

29. COMMITTEE MEETINGS AND QUORUM

- 29.1. The Committee shall meet as regularly as required by floorball business, but at least once every three (3) months, at such places and at such times as the Committee may determine.
- 29.2. Committee meetings may be convened by the President or at the request of any three (3) members of the Committee.
- 29.3. Oral or written notice of a meeting of the Committee shall be given to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for holding of the meeting.
- 29.4. Notice of a meeting given under **Section 29.3** shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, unless the Committee members present at the meeting otherwise unanimously agree.
- 29.5. Any four (4) members of the Committee, including at least one (1) office-bearer of the Association, shall constitute a quorum for the transaction of the business of a meeting of the Committee.
- 29.6. No business shall be transacted by the Committee unless a quorum is present, and if within half an hour after the time appointed for the meeting a quorum is not present, the meeting stands adjourned to a time and place to be agreed upon by at least four (4) members of the Committee.
- 29.7. If at the adjourned meeting of the Committee, a quorum is not present within half an hour after the time appointed for the meeting, the meeting shall be dissolved.
- 29.8. At meetings of the Committee:
 - a. The President or in the absence of the President, the Vice-President shall preside.
 - b. In the absence of the President and the Vice-President, one (1) of the remaining members of the Committee may be chosen by the members present to preside.
 - c. The first order of business at each Committee meeting shall be the acceptance of the Minutes of the previous meeting, unless the Committee members present at the meeting unanimously agree otherwise.
 - d. The second order of business at each Committee meeting shall be a brief statement by the President (if present), outlining the current state of the Association and the overall aims of the present Committee meeting, unless the Committee members present at the meeting unanimously agree otherwise.

30. DELEGATION BY COMMITTEE TO A SUB-COMMITTEE

- 30.1. The Committee may delegate to one (1) or more sub-committees (consisting of such Members as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified by the Committee, other than:
 - a. this power of delegation; and
 - b. a function which is a function imposed on the Committee by the Act, by any other law of the Territory, or by Resolution of the Association in General Meeting.
- 30.2. Sub-committees shall report to the Committee at such times and in such manner as the Committee directs.
- 30.3. The President shall be an ex-officio member of all sub-committees.
- 30.4. A function, the exercise of which has been delegated to a sub-committee under this section of these Rules, may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- 30.5. A delegation under this section of these Rules may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified by the Committee and by the provisions of these Rules.
- 30.6. Notwithstanding any delegation under this section of these Rules, the Committee may continue to exercise any function delegated.
- 30.7. Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this section of these Rules has the same force and effect as it would have if it had been done or suffered by the Committee.
- 30.8. The Committee may revoke wholly or in part any delegation under this section of these Rules.
- 30.9. A sub-committee may meet and adjourn as it thinks proper.
- 30.10. The Committee may co-opt as members of a sub-committee such persons as it thinks suitable, whether or not those persons are Members.
- 30.11. One half of the members of a sub-committee appointed by the Committee shall constitute a quorum for the transaction of business of a sub-committee.

31. VOTING AND DECISIONS OF THE COMMITTEE AND SUB-COMMITTEES OF THE ASSOCIATION

- 31.1. Questions arising at meetings of the Committee or of any sub-committee appointed by the Committee shall be determined by a simple majority of the votes by show of hands of members of the Committee or sub-committee present at those meetings.
- 31.2. Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one (1) vote, but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

32. DISCLOSURE OF COMMITTEE MEMBER'S INTERESTS IN CONTRACTS, ETC

- 32.1. Pursuant to section 65(1) of the Act, a member of the Committee who has a direct or indirect pecuniary interest in any contract or arrangement that is current or proposed to be made with the Association shall disclose the nature and extent of his or her interest to the Committee and to the next General Meeting.
- 32.2. If the interest already exists, it should be declared at the first Committee meeting at which the contract or arrangement is considered.
- 32.3. No member of the Committee shall vote as a member of the Committee in respect of any contract or arrangement in which he or she has an interest and if this member does so vote, that vote shall not be counted.
- 32.4. A Resolution by Committee members present may ask for the absence of the member with a declared interest while the contract or arrangement is under discussion.

PART IV. GENERAL MEETINGS

33. ANNUAL GENERAL MEETINGS - HOLDING OF

- 33.1. With the exception of the first AGM, the Association will, at least once in each calendar year and within the period of three (3) months after the expiration of each Financial Year of the Association, convene an AGM of its Members.
- 33.2. The Association shall hold its first AGM within the period of three (3) months after the expiration of the first Financial Year of the Association following the acceptance of these Rules by the Association in General Meeting.
- 33.3. **Sections 33.1** and **33.2** have effect subject to the powers of the Registrar of Incorporated Associations under section 120 of the Act in relation to the extensions of time.

34. ANNUAL GENERAL MEETINGS - CALLING OF AND BUSINESS AT

- 34.1. The AGM will, subject to the Act, be convened on such date and at such place and time as the Committee thinks fit.
- 34.2. In addition to any other business which may be transacted at an AGM, the business of an AGM shall be:
 - a. to confirm the minutes of the last preceding AGM and of any General Meeting held since that meeting;
 - b. to receive reports from the Committee and office-bearers on the outcomes of the Association's activities during the last preceding Financial Year;
 - c. to elect members of the Committee, including office-bearers;
 - d. to receive and consider the statement of accounts and the reports that are required to be submitted to Members pursuant to sub-section 73(1) of the Act; and
 - e. to transact other business of which due notice has been given in accordance with the provisions of these Rules.
- 34.3. An AGM shall be specified as such in the notice convening it in accordance with **Section 35**.
- 34.4. An AGM shall be conducted in accordance with the provisions of this Part (i.e., **Part IV**) of the Association's Rules.

35. GENERAL MEETINGS - CALLING OF

- 35.1. The Committee may, whenever it thinks fit, convene a General Meeting.
- 35.2. The Committee will, upon receiving a written request, from not less than eight (8) Members, convene a General Meeting.
- 35.3. A request of Members for a General Meeting:
 - a. shall state the purpose of the meeting;
 - b. shall be signed by the Members making the request;
 - c. shall be lodged with the Secretary; and

- d. may consist of several documents in a similar form, each signed by one (1) or more of the Members making the request.
- 35.4. If the Committee fails to convene a General Meeting within one (1) month after the date on which a request from Members for the meeting is lodged with the Secretary, any one (1) or more of the Members who made the request may convene a meeting to be held not more than three (3) months after that date.
- 35.5. A General Meeting convened by a Member referred to in **Section 35.4** will be convened as nearly as practicable in the same manner as General Meetings are convened by the Committee and any Member who thereby incurs expense in convening the meeting is entitled to be reimbursed by the Association for any reasonable expense so incurred.
- 35.6. At a General Meeting, business shall be confined to the matters for which the meeting has been called.

36. NOTICE OF MEETINGS

- 36.1. The Committee shall, at least fourteen (14) days before the date fixed for holding a General Meeting, have:
 - a. a notice (including any of the Association's circulars or newsletters) delivered or sent by email to the Members at the addresses shown in the Register of Members;
 - b. an advertisement inserted in at least one newspaper circulating in the ACT; or
 - c. a notice displayed on notice boards used by the Association, including online, specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- 36.2. Subject to the provisions relating to Special Resolutions, any Member wishing to bring any business before a General Meeting must provide the Secretary with written advice of his or her proposal at least twenty-one (21) days before the meeting unless otherwise specified in these Rules. The Secretary shall include that item of business from the Member in the notice to Members.
- 36.3. Where the nature of the business proposed to be dealt with at a General Meeting requires a Special Resolution, the Secretary shall, at least twenty-one (21) days before the date fixed for the holding of the General Meeting, cause notice to be sent to each Member in the manner provided in **Section 36.1** specifying, in addition to the matter required under that section, the intention to propose the Resolution as a Special Resolution.
- 36.4. No business other than that specified in the notice convening a General Meeting shall be transacted at the meeting except, in the case of an AGM, business which may be transacted pursuant to **Section 34.2**.

37. SPECIAL RESOLUTIONS

- 37.1. The Act requires a Special Resolution to decide each of the following matters:

- a. the adoption of terms and rules of any proposed amalgamation of the Association with another body;
- b. the amendment of the Purposes, Objectives and Rules of the Association;
- c. changing the name of the Association;
- d. approving the transfer of the Association from an incorporated body to a “company limited by guarantee”;
- e. approving amended Rules of the Association where the ACT Registrar has issued notice of intent to cancel incorporation of the Association; and
- f. approving the voluntary winding up of the Association and the subsequent disposal of the Association's assets.

38. GENERAL MEETINGS - PROCEDURE AND QUORUM

- 38.1. 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 the meeting is considering that item.
- 38.2. A majority of current Committee members and seven (7) other Members, all present in person and being Members entitled to vote at a General Meeting as provided for under **Section 42**, shall constitute a quorum for the transaction of the business of a General Meeting.
- 38.3. If within half an hour after the appointed time for the commencement of a General Meeting a quorum is not present, the Members present (being not less than ten (10)) shall constitute a quorum.

39. PRESIDING MEMBER

- 39.1. The President, or in the absence of the President, the Vice-President, shall preside at each General Meeting.
- 39.2. If the President and the Vice-President are absent from the General Meeting, the Members present shall elect one (1) of their number to preside at the meeting.
- 39.3. The Chairperson shall maintain order and conduct the meeting in a proper and orderly manner.

40. ADJOURNMENT

- 40.1. The person presiding at a General Meeting at which a quorum is present may, with the consent of the majority of Members present at 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.
- 40.2. Where a General Meeting is adjourned for fourteen (14) days or more, the Secretary shall give written or oral notice of the adjourned meeting to each Member stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

- 40.3. Except as provided in **Sections 40.1** and **40.2**, notice of an adjournment of a General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

41. MAKING OF DECISIONS

- 41.1. With the exception of questions requiring a Special Resolution, a question arising at a General Meeting shall be determined by a simple majority on a show of hands and unless a poll is demanded, a declaration by the Member presiding that a Resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour or against that Resolution.
- 41.2. At a General Meeting, a poll may be demanded by the Member presiding or by not less than three (3) Members present in person or by proxy at the meeting.
- 41.3. Where the poll is demanded at a General Meeting, the poll shall be taken:
- a. immediately in the case of a poll which relates to the election of the Member to preside at the meeting or to the question of an adjournment; or
 - b. in any other case, in such a manner and at such time before the close of the meeting as the Member presiding directs, and the Resolution of the poll on the matter shall be deemed to be the Resolution of the meeting on that matter.
- 41.4. The result of any poll shall be deemed to be a Resolution of a meeting.
- 41.5. If, at any time, a decision to suspend or expel a Member is revoked, rescinded or cancelled, that revocation does not affect the validity of any decision made at a Committee meeting or General Meeting during the period of suspension/expulsion.

42. ELIGIBILITY TO VOTE AT GENERAL MEETINGS

- 42.1. A Member is not eligible to vote at a General Meeting unless that Member is at least eighteen (18) years of age and has been a Member for at least thirty (30) days.
- 42.2. Associate Members and Short-Term Members shall have no voting rights at General Meetings.
- 42.3. A Member or proxy is not entitled to vote at any General Meeting unless all money due and payable by the Member or proxy to the Association has been paid, other than the amount of the annual membership fee payable in respect of the then current year.

43. VOTING

- 43.1. Subject to **Section 43.3**, upon any question arising at a General Meeting a Member has one (1) vote only.
- 43.2. All votes shall be given personally or by proxy but no Member may hold more than five (5) proxies.

- 43.3. In the case of an equality of votes on a question at a General Meeting, the Member presiding is entitled to exercise a second or casting vote.

44. APPOINTMENT OF PROXIES

- 44.1. A Member may appoint another Member to attend and vote instead of the Member at any meeting. Such appointment must be in writing and signed by the Member, and shall be given to the Secretary no later than twenty-four (24) hours before the time of the meeting in which the proxy is appointed.

PART V. MEMBER ORGANISATIONS

45. APPLYING TO FORM A MEMBER ORGANISATION

- 45.1. Applications to form a Member Organisation to Floorball ACT, such as a club, must be presented, in writing, to the Secretary.
- 45.2. Applications must include:
 - a. the name of the club;
 - b. the rough geographic area of the drawing area of the club;
 - c. proposed home playing venue(s);
 - d. proposed uniform colours;
 - e. committee members (president, secretary and treasurer);
 - f. list of pledged club members who are current financial Members of Floorball ACT;
 - g. plans to encourage the expansion of floorball in the ACT by any of the following:
 - i. inclusion and encouragement of women;
 - ii. inclusion and encouragement of juniors; or
 - iii. other, with explanation; and
 - h. any additional information that the applicants believe would assist the Committee in their consideration of the application.
- 45.3. Applications will be considered by the Committee on a case-by-case basis, with emphasis on the long-term viability of the club, and the potential growth of floorball in the ACT.
- 45.4. A response to the application will be sent to the applicant along with reasons for the Committee's decision.

46. FLOORBALL ACT SUPPORT FOR MEMBER ORGANISATIONS

- 46.1. Member Organisations can apply for financial, organisational or other support from Floorball ACT through an application form sent to the Floorball ACT Secretary.
- 46.2. Applications for support must be fully costed (if applicable) and provide information on the commitment and how it will grow floorball in the ACT.
- 46.3. Applications must be signed by a member of the executive of the Member Organisation, who will be able to be contacted for further information should the Committee require it.

47. MEMBER ORGANISATION CONDUCT

- 47.1. Member Organisations will conduct themselves in a manner consistent with these Rules, Floorball ACT policies, and Floorball Australia policies.
- 47.2. The Committee of the Member Organisation will be responsible for ensuring each of their members is aware of, and follows, these rules and the Floorball Australia policies and codes.
- 47.3. Where a complaint is received by Floorball ACT about the conduct of a Member Organisation, the complaint will be handled as per **Section 19**.

48. CLOSING OF A MEMBER ORGANISATION

48.1. Where a Member Organisation can no longer function, due to:

- a. falling membership numbers;
 - b. financial insolvency;
 - c. removal of the Member Organisation as an approved body; or
 - d. a decision by the membership of the Member Organisation to voluntarily dissolve the Member Organisation, pursuant to the rules of the Member Organisation,
- the Member Organisation shall immediately inform the Secretary of this fact in writing.

48.2. Upon receipt of this notification, the Secretary shall:

- a. secure all books, records, documents and other materials in respect to the Member Organisation; and
- b. take measures to locate and secure all properties, equipment, uniforms etc. owned by the Member Organisation.
 - i. Individual uniforms of a Member Organisation owned by a member of that organisation remain the property of that member.

48.3. The books, records, documents and other materials in respect to the Member Organisation shall be held by the Secretary for no less than two (2) years following the closing of the Member Organisation.

48.4. The Association shall deal with the properties, equipment, uniforms etc. (hereafter referred to 'assets') owned by the Member Organisation as follows:

- a. the Association shall first sell the assets of the closing Member Organisation in order to cover that organisation's debts, if necessary;
- b. all assets:
 - i. purchased by the Association for the Member Organisation;
 - ii. provided by the Association to the Member Organisation as support to the Member Organisation; and
 - iii. purchased by the Member Organisation using the organisation's allocation of membership fees, their sponsorship monies, or their fundraising revenue, shall revert to being owned by the Association; and
- c. all assets purchased for, gifted to or donated to the Member Organisation by its members using their own funds, or by third parties, shall revert to being owned by the member(s) and/or third-party or parties who provided the assets.
 - i. Such assets must be claimed by the purchasing/gifting/donating member(s) and/or party or parties within twenty-eight (28) days of the closing of the Member Organisation. Such claims must be made in writing to the Secretary, and must be accompanied by documentary proof that the claiming member(s)/party or parties purchased/gifted/donated those assets to the Member Organisation.
 - ii. In the case that the assets were purchased by multiple members or third parties for the Member Organisation, and those assets cannot be equitably divided between the interested parties, those parties may petition the Association for monetary compensation equivalent to their contribution to the purchase of those assets, minus reasonable depreciation as determined by the Committee.

1. Such a petition must be made in writing to the Secretary within twenty-eight (28) days of the Member Organisation closing. Petitions must include receipts, contracts, notes or other documents that prove the amount spent on the purchased assets.
 2. Decisions regarding monetary compensation for these assets shall be made by Committee meeting. These decisions may be appealed to the Appeals Committee.
- iii. Should assets under **Section 48.4.c**:
1. remain unclaimed twenty-eight (28) days after the closing of the Member Organisation; or
 2. the purchasers/gifting parties/donators of those assets have been provided monetary compensation by the Association for those assets,
those assets shall become owned by the Association.
- 48.5. **Section 48.4.a** notwithstanding, the Association shall assume none of the debts or liabilities of the closing Member Organisation. Those debts and liabilities remain the responsibility of the Committee members of the Member Organisation at the time of its closing.
- 48.6. Upon the closing of a Member Organisation, members of that organisation may immediately request to join another Member Organisation provided they owe no outstanding monies to the closing organisation. Until they are accepted by another Member Organisation, they shall be considered to be unattached Members.

PART VI. MISCELLANEOUS

49. JURISDICTION OF FLOORBALL AUSTRALIA

- 49.1. The Committee or a properly constituted General Meeting may refer any matter, including questions relating to the contravention of a section of the rules of floorball or to misconduct during a game of floorball, to Floorball Australia to be dealt with in accordance with that body's Constitution, Rules, or Policies.
- 49.2. Nothing in this section shall prevent proceedings relating to the contravention of a section of the rules of floorball or to misconduct during a game of floorball from being effective.
- 49.3. The Association shall be bound by decisions made by Floorball Australia.

50. INCOME AND PROPERTY

- 50.1. The funds of the Association shall be derived from annual membership fees of Members, donations, grants, and charges to such activities as the Association may organise and, subject to any Resolution passed by the Association in General Meeting and to section 114 of the Act, such other sources as the Committee may determine.
- 50.2. All money received by the Association shall be deposited as soon as practicable, without deduction, to the Association's bank account.
- 50.3. The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.
- 50.4. No portion of the income or property of the Association shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise to the Members or to their relatives.
- 50.5. The Association shall not pay any remuneration by way of salary, fees or allowances or other benefit in money or money's worth (other than repayment of approved out-of-pocket expenses incurred on the Association's behalf) to any member of the Committee unless determined by Special Resolution.
- 50.6. Nothing in the foregoing provisions of this section shall prevent the payment, in good faith, of:
 - a. remuneration in return for services actually rendered to the Association by an employee or Member or for goods supplied to the Association by the employee or Member in the ordinary course of business;
 - b. interest at a rate not exceeding the Commonwealth Savings Bond rate on moneys lent to the Association by a Member (but not an employee); or
 - c. a reasonable and proper sum by way of rent for the premises let to the Association by an employee or Member.
- 50.7. Any property of the Association shall be available for use by Members and non-members of the Association at the discretion of the Committee. The Committee may determine such fees for the hire of equipment as it considers appropriate from time to time.
- 50.8. Members and non-members of the Association shall be personally liable for loss of or damage to any equipment which they may borrow or hire from the Association.

51. FUNDS MANAGEMENT

- 51.1. Subject to these Rules and any Resolution passed by the Association in General Meeting, the income and property of the Association, however derived, shall be used and applied solely to the promotion of the purposes and objectives of the Association in such a manner as the Committee determines.
- 51.2. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two (2) of four (4) signatories who are members of the Committee, being members of the Committee authorised to do so by the Committee, provided that none of the signatories are members of the same family.

52. ACCOUNTING RECORDS

- 52.1. Accounts shall be kept by the Treasurer of:
 - a. all sums of money received and expended by the Association and the purpose of such transactions; and
 - b. the assets and liabilities of the Association.
- 52.2. Subject to direction from the Committee, the Treasurer shall ensure that all financially related records, accounting books, and records of receipts and expenditure connected with the operations of the Association shall be kept in such form and manner as will permit:
 - a. the preparation of true and accurate accounts of the Association; and
 - b. the convenient and proper auditing of the Association's accounts.

53. BANKING AND FINANCE

- 53.1. The Treasurer shall, on behalf of the Association, be responsible for all moneys received by the Association and the issue of official receipts, where required.
- 53.2. The Committee shall authorise the opening of accounts in the name of the Association with such financial institutions as it deems appropriate.
- 53.3. All monies received by the Association shall be paid by the Treasurer, or a delegate, into the appropriate Association accounts as soon as possible after receipt thereof.
- 53.4. Any expenditure incurred on behalf of the Association must have prior approval by a majority of the Committee before reimbursement can be claimed through the Treasurer. Liability for unapproved transactions will rest with the individuals who made the transaction and not the Association.
- 53.5. No payment shall be made from the Association's accounts otherwise than by cheque drawn on that account, except with the approval of the Committee.
- 53.6. Subject to such provisions as the Committee may deem appropriate, the Treasurer and Secretary may be provided with sums of money to meet day-to-day expenditures.
- 53.7. No cheque shall be drawn on the Association's accounts except for the payment of expenditure that has been authorised by the Committee.

54. ALTERATION OF PURPOSES, OBJECTIVES AND RULES

- 54.1. Neither the purposes and the objectives of the Association referred to in **Sections 3** and **4** respectively shall be altered or rescinded except by Special Resolution in accordance with sections 30 and 33, respectively, of the Act.

55. COMMON SEAL

- 55.1. The Committee may provide for a Common Seal which shall be kept in safe custody by the Secretary.
- 55.2. The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures of any two (2) members of the Committee authorised to do so.
- 55.3. The Secretary shall maintain a register of the occasions on which the Common Seal is used, and shall present the register to Members at the AGM.

56. CUSTODY OF BOOKS

- 56.1. Subject to the provisions of the Act, the Regulations and these Rules, the Secretary shall keep in his or her control all records and other documents relating to the Association except the Association's financial accounts and accounting records which shall be kept by the Treasurer.
- 56.2. Subject to the provisions of the Act and its Regulations, no books or records of the Association shall be destroyed without the express approval of the Committee.
- 56.3. The accounting records shall be kept at such place or places as the Committee shall from time to time determine.

57. INSPECTION OF BOOKS

- 57.1. Subject to any reasonable restrictions as to time and manner of inspection that may, for the time being, be imposed by the Association, the records, books and other documents of the Association shall be open to inspection at Association meetings or at a place in the Territory, free of charge, by any Member.
- 57.2. The Association may choose to have the books audited, by passing a Resolution at the AGM, or at a General Meeting. Where this option is agreed, the **Sections 58** and **59** will be enforced.

58. AUDITOR

- 58.1. Where required, at the AGM the Association will, by Resolution, appoint an auditor who is registered as an auditor pursuant to the Corporations Law and who is not a Member or

employee of the Association, a partner, employer or employee of an Officer of the Association, or a partner or employee of an employee of an Officer of the Association.

- 58.2. A person so appointed shall hold office until the next AGM following that appointment when he/she may be re-appointed.
- 58.3. If an appointment is not made at an AGM, the Committee shall appoint an auditor of the Association for the period up to the next AGM.
- 58.4. If a casual vacancy occurs in the office of auditor, the Committee shall fill the vacancy until the next succeeding AGM.
- 58.5. The office of auditor shall become vacant if the person holding office:
 - a. dies;
 - b. becomes bankrupt or applies to take advantage of any laws relating to bankrupt or insolvent debtors or compounds with his/her creditors;
 - c. resigns by notification in writing in a letter addressed to the Secretary;
 - d. ceases to be resident in the ACT; or
 - e. is removed by a Resolution of the Committee.
- 58.6. If the office of the auditor becomes vacant, the Committee shall notify the Members within twenty-eight (28) days of the vacancy occurring. The Committee shall also notify the Members of any successful appointment to the position of Auditor within twenty-eight (28) days of that appointment.

59. AUDIT OF THE ACCOUNTS

- 59.1. When the Association agrees to an audit, the Treasurer shall cause to be delivered to the Auditor the accounts, books, accounting records, records, vouchers, computer files and documents of the Association as soon as possible after the end of the Financial Year.
- 59.2. The Auditor shall certify as to the correctness of the accounts and balance sheet of the Association and shall make a report thereon available at the AGM.
- 59.3. In this report, and in certifying the accounts, the Auditor shall state whether:
 - a. he/she has obtained the information required to perform the audit;
 - b. the accounts, in the auditor's opinion, are properly drawn up so as to reflect a true and accurate record of the financial position of the Association according to the information at his/her disposal and the explanations provided and as shown by the books of the Association; and
 - c. the rules relating to the administration of the funds of the Association have been observed.
- 59.4. The Auditor:
 - a. has a right of access to the accounts, books, records, vouchers, computer files and documents of the Association;
 - b. may require from the Committee such information and explanations as may be necessary for the performance of his or her duties as auditor;
 - c. may engage persons to assist him or her in investigating the accounts of the Association; and

- d. may, in relation to the accounts of the Association, examine any member of the Committee or any employee of the Association.

60. SERVICE OF NOTICES

- 60.1. For the purpose of these Rules, a notice may be served by or on behalf of the Association upon any Member at the Member's address shown in the Register of Members, or via the Member's email address shown in the Register of Members.
- 60.2. Where a document or notice is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document or notice, or by properly addressing an email to the person with the document or notice attached or included, the document or notice shall, unless the contrary is proved, be deemed for the purposes of these Rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post, or at the time that the email was sent.

61. DISSOLUTION OR WINDING UP OF THE ASSOCIATION

- 61.1. Pursuant to section 88 of the Act, the voluntary winding up of the Association shall be decided upon only by a Special Resolution passed at a General Meeting convened for this purpose.

62. SURPLUS PROPERTY

- 62.1. At the General Meeting convened for purpose of winding up the Association, the Association shall pass a Special Resolution nominating the transfer of any surplus property, after the satisfaction of the Association's debts and liabilities:
 - a. to an association, as provided for under sections 92(1)(a) and 92(2) of the Act, within the ACT which has purposes and objectives substantially the same as the purposes and objectives of the Association and which is not carried on for the purpose of trading or securing pecuniary gain for its Members; or
 - b. to a fund, authority or institution as provided for under section 92(1)(b) of the Act.