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**CONSTITUTION**  
**OF**  
**MENTAL HEALTH ASSOCIATION (Qld) INC.**

**NAME**

1. The name of this organization shall be the MENTAL HEALTH ASSOCIATION (QLD) INC. (hereinafter called "the Association").

**INTRODUCTION AND MEANING OF TERMS**

2. (a) The Association shall consist of those associations of persons (hereinafter termed "groups") and individuals as shall apply for and be admitted to membership from time to time as is herinafter provided.

"Ex-Officio member" means a person who by virtue of his/her office is a member of a branch or committee with all the ordinary rights of such a member including the right to vote and inclusion in a quorum

**OBJECTS**

3. The objects of the Association shall be:
  - (a) **Co-ordination**
    - (i) To act in a co-ordinating and networking role between voluntary agencies in the mental health and allied fields.
  - (b) **Advocacy**
    - (i) To advocate for the needs and rights of the mentally ill to all levels of Government and in the community.
    - (ii) to facilitate the achievement of a comprehensive and accessible system of mental health care for all those in need of such
    - (iii) To encourage and support activities aimed at improving the welfare, care and after-care of the mentally ill.
    - (iv) To express the active concern of individuals, groups and other organizations in the treatment and welfare of the mentally ill, in the welfare of their next-of-kin and families, in the incidence of mental illness and in the services provided for treatment and after-care.
  - (c) **Education**
    - (i) To promote mental health and to become informed on all matters relating to the

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promotion of mental health, the prevention of mental illness and the care of the mentally ill, through a study of literature, discussions, seminars and all other appropriate means.

- (ii) To assist in the education of the community to a more informed public attitude towards mental health and illness.
- (iii) To provide a public forum for discussion of topics relevant to these objects, and to organize seminars, exhibitions and other gatherings to further directly or indirectly the objects of the Association.
- (d) Communication**
  - (i) To assist the community to develop and maintain an awareness of the needs of the mentally ill, their families and carers.
  - (ii) To provide links between government services, health professionals, the voluntary agencies, the media and the community.
- (e) Resource Sharing**
  - (i) To assist voluntary agencies and self help groups by the sharing of resources, where practicable and appropriate.
- (f) Self Help Groups**
  - (i) To help foster the formation and maintenance of self help groups in the mental health field.
  - (g) To acquire, carry on, assist or promote the establishment of services, research and facilities as determined by the Association.
  - (h) To obtain, collect and receive money or funds by way of contributions, subscriptions, donations, legacies, grants, gifts of property of any description for or towards the objects of the Association.
  - (i) To do all such things as are incidental to the attainment of these objects, subject to the provisions of Regulation 32(14) of the Collection Regulations 1975.

## **POWERS**

- 4. The powers of the Association are:
  - (a) To take over the funds and other assets and the liabilities of the present unincorporated association known as the Queensland Association for Mental Health.
  - (b) To subscribe to, become a member of and co-operate with any other association, club or organization, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds any club, association or organization which

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does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of rule 32 (j);

- (c) In furtherance of the objects of the Association to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Association's premises;
- (d) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights of privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Association: Provided that in case the Association shall take or hold any property which may be subject to any trusts the Association shall only deal with the same in such manner as is allowed by law having regard to such trusts;
- (e) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
- (f) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association;
- (g) To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in the furtherance of its objects;
- (h) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvements, maintenance, development, working, management, carrying out, alteration or control thereof;
- (i) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit subject where applicable to Regulation 32 (14) of The Collections Regulations 1975;
- (j) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;
- (k) In furtherance of the objects of the Association to lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or

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indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate;

- (l) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated association's property or assets present or future and to purchase, redeem or pay-off any such securities;
- (m) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
- (n) In furtherance of the objects of the Association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association;
- (o) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others;
- (p) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the proviso in sub-rule (d);
- (q) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise;
- (r) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects;
- (s) In furtherance of the objects of the Association to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of rule 32(j);
- (t) In furtherance of the objects of the Association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorised to amalgamate;
- (u) In furtherance of the objects of the Association to transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorised to

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- amalgamate;
- (v) To make donations for patriotic, charitable or community purposes;
  - (w) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged;
  - (x) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

## **MEMBERSHIP**

### **5. Classes of Membership**

- 5.1. Any organisation or individual desiring to become a member of the Association shall apply in writing to the Association. The minimum age for ordinary membership shall be twelve years.
- 5.2. The membership of the Association shall consist of ordinary members and any of the following classes of members:
  - 5.2.1. Subscriber Members
  - 5.2.2. Affiliate Members
  - 5.2.3. Honorary Members
  - 5.2.4. Life members
- 5.3. The individual rights of any organisation or person admitted to membership of the Association shall not be affected except by the express terms of this Constitution.

### **6. Admission to Membership**

- 6.1. Admission to membership (unless otherwise provided for in these rules) shall be by election of the Management Committee or, upon appeal, by the members. At the Management Committee meeting next following the payment or tender to the Secretary of the annual subscription for the current financial year as provided by this constitution, the Management Committee shall consider the application of each applicant and shall elect or reject the applicant as a member. The committee may consider any matters relevant to whether an applicant's election to membership is in the best interests of the Association.
- 6.2. Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which his or her application is being considered shall be declared elected as a member. Upon the election or rejection of an application for membership the Secretary shall forthwith give to them notice in writing of such election or rejection.

### **7. Ordinary Membership**

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7.1. Ordinary Membership shall consist of the following types:

- 7.1.1. Individual Membership  
Individual membership may be conferred upon a natural person not eligible for election to either student, concession or organisational membership.
- 7.1.2. Student Membership  
Student Membership may be conferred upon a person enrolled as a student at any tertiary institution or school. The annual subscription of student members shall be at a reduced rate which the Management Committee shall decide from time to time.
- 7.1.3. Concession Membership  
Concession Membership may be conferred upon a person in receipt of a Health Care Card. In the event that health care cards are no longer available, then the Management Committee shall identify an equivalent indicator of low-income status. There shall be no annual subscription fee for Concession Membership.
- 7.1.4. Organisational Membership  
Organisational membership may be conferred upon a organisation (incorporated or otherwise) following application by the Secretary of that organisation. Organisations with an annual turnover less than a threshold amount decided by the Management Committee from time to time will be liable for an annual subscription for Organisational Member (Small). Organisations with an annual turnover above the threshold set by Management Committee will be liable for an annual subscription for Organisational Member (Large).

7.2. The class of membership shall be unlimited.

## 8. Subscriber Membership

8.1. Subscriber Membership may be conferred on any individual or organisation who are either not eligible for ordinary membership or who do not wish to participate in the governance of the association. Subscriber members are not entitled to vote or be eligible for election to any office of the Association but shall receive the same materials or publications circulated to ordinary members and may participate in other activities of the Association as determined from time to time by the Management Committee. The class of membership shall be unlimited.

## 9. Affiliate Membership

9.1. Affiliate Membership may be conferred upon a organisation (incorporated or otherwise) following application by the Secretary of that organisation. In addition to other factors that the Management Committee may consider, the application for admission as an Affiliate Member must address or include the following:

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- 9.1.1. That a motion to affiliate to the Association has been passed by a majority of members at a general meeting of the organisation;
  - 9.1.2. That the objects of the organisation are consistent with those of the Association;
  - 9.1.3. A copy of the organisations constitution;
  - 9.1.4. A current list of members, including relevant contact details and the type of ordinary membership they would be eligible for if they applied for ordinary membership directly to the Association; and
  - 9.1.5. A payment equivalent to 50% of the annual subscription fee for ordinary membership of the Association for each of its members, provided that the minimum payment to be made by the Affiliate Member is equivalent to the annual subscription for an Organisational Member (Large).
- 9.2. A organisation is ineligible for Affiliate Membership if it has less than six (6) members, is a corporation or fails to satisfy the requirements of 9.1.1 and 9.1.2 above.
- 9.3. Upon election to Affiliate Membership the organisation shall have the same rights and privileges as an Organisational Member of the Association (except as provided elsewhere in these rules) and the members of the organisation shall be elected to Subscriber Membership.
- 9.4. A organisation may terminate its Affiliate Membership of the Association upon notification in writing by the Secretary of the organisation at any time, provided that:
- 9.4.1. That a motion to terminate affiliate membership of the Association has been passed by a majority of members at a general meeting of the organisation; and
  - 9.4.2. The annual subscription of the organisation is not in arrears.

## **10. Honorary Membership**

- 10.1. Honorary membership may be conferred on persons invited by the Management Committee to be members for one year, by reason of their professional, academic or other special qualifications or interest in the field of mental health.
- 10.2. The class of membership shall be limited to 50 persons.

## **11. Life Membership**

- 11.1. Life membership may be conferred on any person who has rendered outstanding service to the Association. This shall be conferred at any Annual General Meeting. The class of membership shall be unlimited. “

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### **APPEAL AGAINST REJECTION OF MEMBERSHIP**

- 13.(a) A person whose application for membership has been rejected may, within one month after receiving written notification of such rejection, appeal against the decision of the Management Committee to a general meeting of the members of the Association held for the purpose of determining that appeal.

Notice in writing of his or her intention to appeal shall be given to the Secretary.

The Secretary shall convene such a general meeting so that the general meeting is held within three months of the date of receipt by the Secretary of a notice to appeal, at a time suitable to the majority of members to attend thereat. At such meeting the appellant shall be given the opportunity to fully present his or her case either orally or in writing or partly by one of these means and partly by the other and the Management Committee or those members thereof who rejected the application shall subsequently likewise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of the majority of the financial members present at that meeting.

- (b) Where a person, whose application for membership is rejected, does not within the time prescribed by this Constitution, appeal against the decision of the Management Committee or so appeals but his or her appeal is unsuccessful, the Secretary shall refund to him or her the amount of the annual subscription paid to the Association.
14. A member may resign from the Association at any time by giving notice in writing to the Secretary. Such resignation shall only take effect at the time when such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

15. If a member:

- (1) is convicted in a Court of Law of an indictable offence; or
- (2) fails to comply with any of the provisions of this constitution; or
- (3) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the Association. The Committee shall consider whether his or her membership shall be terminated.

The member concerned shall be given a full and fair opportunity of presenting his or her case and if the Management Committee resolves to terminate his or her membership they shall instruct the Secretary to advise the member accordingly. The member may, within one month after receiving such written notification, appeal to a general meeting of members.

Notice in writing of his or her intention to appeal shall be given to the Secretary.

The Secretary shall convene a general meeting so that such meeting is held within

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three months of the date of receipt by the Secretary of a notice of intention to appeal, at a time suitable to the majority of members to attend thereat.

At such meeting the appellant shall be given the opportunity of fully presenting his or her case either orally or in writing or partly by either of these means and the Management Committee of those members thereof who intend to terminate his or her membership shall subsequently likewise have the opportunity of presenting its or their case.

The appeal shall be determined by the vote of a majority of the financial members present at that meeting.

Where any person, whose membership to the Management Committee intends to terminate, does not appeal against the decision within the time provided by this constitution, or so appeals but his or her appeal is unsuccessful, the membership of that person shall thereupon be deemed to be terminated.

### **REGISTER OF MEMBERS**

- 16.(a) The Committee shall cause a register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the organization and the dates of admission.
- (b) Particulars shall also be entered of resignations, terminations and reinstatement of membership and any further particulars as the Committee or the members at any annual or general meeting may require from time to time.
- (c) The Register of Members shall be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for such inspection.

### **NOMINEES**

- 17.1 Each Organisational member shall be entitled to nominate one person, and each Affiliate Member shall be entitled to nominate a total of three (3) persons, to represent it at any general meeting of the Association and such person/s may so represent the organisation as long as the organisation is not in arrears in payment of its subscription
- 17.2 Each member organisation shall forward to the Management Committee notice in writing stating the name of the person/s who are to be its representative/s and the period for which such person/s are to represent the member organisation. In the absence of any time being stipulated it shall be deemed that the nominee/s represents the member organisation until notice in writing to the contrary is received by the Management Committee."

### **OFFICE BEARERS**

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18. Office Bearers shall comprise a President, a Vice-President, an Honorary Secretary and Honorary Treasurer, who shall be appointed as is hereinafter provided. These office bearers shall form the Executive Committee, with power to co-opt other members of the Management Committee, to meet as necessary to deal with routine and administrative matters.

## **MANAGEMENT**

19. The affairs of the Association shall be controlled and managed by a Management Committee consisting of the Office Bearers, and five elected members. The Management Committee shall have the power to co-opt with their consent not more than four additional members to the Management Committee.
20. The President or his nominee shall be entitled to attend any meetings of the Management Committee and of any sub- committee.
21. The Management Committee may appoint members and nominees (with their written consent) to sub-committees. The Management Committee shall define the duties of any sub- committee.
22. Office-Bearers and members of the Management Committee shall be elected at the Annual General Meeting and shall hold office until the next Annual General Meeting.
23. Provided that notice in accordance with Section 41 has been given the members and nominees present at any General Meeting may decide by a majority vote to invite any person to become Patron of the Association and upon such person agreeing to so become, he shall be the Patron of the Association until otherwise determined.
24. Nominations (signed by the proposer and seconder) for Office Bearers and members of the Management Committee shall be called for by the Management Committee by notice to all members, such notice calling for nominations shall be sent by pre-paid post to members at least twenty-one days prior to the Annual General Meeting. The acceptance of nomination is to be in the hands of the Secretary seven days prior to the Annual General Meeting. The election of members of the Management Committee shall be by secret ballot or by postal vote if so resolved by the Management Committee. If no nominations are received for an office which becomes vacant then the Management Committee shall assume responsibility for that office.
25. The Management Committee shall meet at such times as it may decide. The Honorary Secretary shall give committee members seven clear days notice of committee meetings. Any member of the Management Committee who absents himself/herself from three consecutive meetings without leave of absence shall be liable to forfeiture of his/her membership of the Committee. The quorum for the Management Committee will be a simple majority.

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26. The Management Committee shall have the power to fill any vacancy that may occur in any office or on the Management Committee.
  27. The Management Committee shall have the power to delegate any of its powers, except this power of delegation, to any sub-committee, ordinary member or employee of the Association.

### **ANNUAL SUBSCRIPTIONS**

28. The Association's financial year shall be as from the First day of July to the Thirtieth day of June in each year.
29. The membership subscription shall be such sum as is recommended by the Management Committee and accepted by the members and nominees present at an Annual General Meeting.
30. The annual subscription shall be due and payable on the first day in July in each year. Any member joining after the first day of April may on his application or at the discretion of the Management Committee have his subscription held over for the commencement of the ensuing financial year.
31. Any group or individual who neglects to pay his subscription and whose subscription remains unpaid at the expiration of two months after written notice from the Management Committee requesting payment has been forwarded to his last known address by pre-paid post shall lose his right of membership and shall not be entitled to vote or attend any meeting of the Association, Management Committee or sub-committee.

### **FUNDS**

32. (a) The income and property of the Association whencesoever derived shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out herein and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association provided that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect of moneys advanced by him to the Association or otherwise owing by the Association to him or of remuneration to any officers or servants of the Association or to any member of the Association or other person in return for any services actually rendered to the Association provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Association or

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reasonable and proper rent for premises demised or let to the Association.

- (b) The funds of the organization shall be banked in the name of the organization in such bank or other regulated financial institution as the Committee may from time to time direct.
- (c) proper books and accounts shall be kept and maintained showing correctly the financial affairs of the organization and the particulars usually shown in books of a like nature.
- (d) All moneys shall be banked as soon as practicable after receipt of them.
- (e) All amounts of \$20-00 or over shall be paid by cheque signed by any two of the following: President, Secretary, Treasurer, Executive Director.
- (f) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances, or petty cash recoupments which may be open.
- (g) The Committee shall determine the amount of petty cash which shall be kept on the imprest system.
- (h) Accounts for payment shall be presented and passed at a Committee meeting.
- (i) As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement of receipts and payments and income and expenditure and a balance sheet for the financial year just ended.  
  
All such statements shall be examined by the auditor who shall present his report upon such audit to the Secretary prior to the holding of the Annual General Meeting next following the financial year in respect of which such audit was made.
- (j) No honorarium shall be granted to any person from the funds of the organization and no dividend shall be paid to, and no income or property of the organization shall be distributed amongst the members.

### **BRANCHES**

- 33.(a) Branches may be established in the State of Queensland.
- (b) Each branch shall be known as the " Mental Health Association (..... Branch)" with the name of the branch or place in respect of which it has been established immediately before the word "Branch". The full name of each branch shall be used by it in all documents and correspondence.
- (c) Each branch is responsible within its geographic area for furthering the objects of the Association. Any negotiations or correspondence with the State or Commonwealth Government and any of their instrumentalities on State issues shall be conducted with the prior knowledge and approval of the Executive Director and be in accordance with the policy of the Association. The branch's geographic area shall be determined by the Association.
- (d) The branches, when formed, shall not engage in, or carry out, any activity or

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function of any kind, or publish any matter which is inconsistent with the objects of the Association. Any question as to such inconsistency shall be resolved by a simple majority of the votes cast at a meeting of the Management Committee of the Association.

- (e) The affairs of the branch including the Management and application of the Branch funds, and the notice and conduct of Branch meetings shall all be determined by reference to the other clauses of this constitution, as if they were the affairs of the Association, insofar as they are not specifically provided for in this clause.
- (f) The President of the Association shall be an ex-officio member of each branch.
- (g)(i) Admission to ordinary membership shall be in accordance with the provisions in clause 6.
- (ii) members of branches shall pay the subscription to the Association and acknowledgement will be by official receipt from the Association. The Treasurer shall forward to the respective branch notice of payment of members subscription received within 30 days and shall account to the branch for the subscription payable less the capitation fee.
- (iii) The capitation fee shall be half the annual` subscription.
- (iv) A Register of Branch Membership showing names, addresses, and date of acceptance shall be kept by the Branch.
- (v) No member shall be a member of more than one branch.
- (vi) Affiliate and Subscriber members are not members of Branches.
- (h) Each branch shall establish a Branch Committee of Management comprising not more than 15 persons each of whom shall be a member of the Association. The business of each branch shall be managed by and vested in its Branch Committee of Management in a manner consistent with this constitution.

Such committee shall have a Chairman, Secretary, and Treasurer, who shall be known as the Branch Executive, and other officers as the branch membership may decide.

- (i) The Executive Director of the Association, if appointed, may attend and be heard at any meeting of a Branch Committee of Management.
- (j) Each Branch shall submit to the Secretary of the Association no later than the 15th July each year a report on Branch activities.
- (k) Branches shall forward to the Secretary of the Association an audited copy of receipts and expenditure within one month of the holding of the Branch Annual General Meeting.
- (l) Branch funds shall be banked in the name of the "Queensland Association for Mental Health.Branch", with any two members of the Branch Committee of Management, one of whom shall be a Branch Executive member authorized to operate thereon.

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- (m) In the event of a branch closing for any reason, the executive of the branch shall return to the Executive Director of the Association all books of account, vouchers, bank books and funds held to its credit. Funds held to its credit shall be used in the designated geographical area of the branch as the Association shall determine.
  - (n) The branch shall be dissolved in the event of the membership being less than three persons or upon the vote of a three-fourths majority of the members present at a General Meeting or Special General Meeting convened to consider such question.
  - (o) The powers of each branch of the Association shall be limited in the following manner.
    - (i) The Branch shall not purchase, lease or mortgage any property , unless it has been previously authorized in writing by the Association.
    - (ii) The Branch shall not incur any liability exceeding the amount decided by the Management Committee of the Association, unless it has been previously authorized in writing by the Association.
    - (iii) The branch shall not engage employees unless it has been previously authorized by the Association in writing.
  - (p) Each branch shall have the right to adopt y-laws for the internal management of the branch, provided such By-laws are subject to the approval of the Association.

### **ANNUAL GENERAL MEETINGS OR GENERAL MEETINGS**

- 34. (a) Subject to this constitution the Annual General Meeting shall be held within 2 months of the end of the financial year.
  - (b) The business to be transacted at every Annual General Meeting shall be:-
    - (i) the receiving of the President's report and the balance sheet and statement of accounts for the preceding financial year;
    - (ii) the receiving of the auditor's report upon the books and accounts for the preceding financial year;
    - (iii) the election of members of the Management Committee shall be consistent with clause 25.
    - (iv) the appointment of an auditor.
- 35. At the Annual General Meeting and all General Meetings of the Association double the number of members on the Management Committee plus one shall constitute a quorum.
- 36. The Secretary shall:
  - (i) when directed to do so by the Committee; or
  - (ii) upon being given a requisition in writing signed by not less than six members of the Committee or not less than six ordinary members and clearly stating the purpose

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- for which the general meeting is desired; or
- (iii) upon being given notice in writing of appeal against the decision of the Committee to reject an application for membership or of intention to terminate the membership of any person, convene a General Meeting of members.
37. Unless otherwise provided by this constitution, at every Annual and General meeting
- (i) the President shall be Chairman and in his absence a Chairman shall be elected by resolution of a majority of the financial members present at the meeting.
  - (ii) the Chairman shall maintain order and conduct the meeting in a proper and orderly manner.
  - (iii) every question, matter or resolution shall be decided by a majority of votes of the financial members present.
  - (iv) every financial member present shall be entitled to one vote and in the case of an equality of votes the Chairman shall have a casting vote.
  - (v) voting shall be by show of hands or a division of members, unless not less than ten financial members present demand a ballot, in which event there shall be a secret ballot.
- The Chairman shall appoint two members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the Chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded.
- (vi) the Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding Management Committee meeting verifying their accuracy. Similarly, the minutes of every general meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding general meeting.
- Provided that the minutes of any annual general meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding general meeting or annual general meeting.
- 38 Members shall be given in writing, twenty-one days' notice of Annual General Meetings or General Meetings.

## **BY-LAWS**

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39. The Management Committee may from time to time make, amend or repeal by-laws, not inconsistent with this Constitution, for the internal management of the Association and any by-law may be set aside by a General Meeting of members.

### **ALTERATION TO CONSTITUTION**

40. Subject to the provisions of the Associations Incorporation Act 1981 - 1988, these Rules may be amended, rescinded or added to from time to time by a special resolution carried at any general meeting. Provided that no such amendment, rescission or addition shall be valid unless the same shall have been previously submitted to and approved by the Under Secretary, Department of Justice, Brisbane.

### **NOTICES**

41. All notices to a member under this constitution shall be given by hand or by post to the last known address of such member and receipt thereof shall be deemed to have taken place at the time when such notice would have been received in the ordinary course of post.

### **ADDRESS**

42. The address or addresses of the Association shall be such as the Management Committee shall decide from time to time.

### **DISSOLUTION**

43. The Association shall be dissolved in the event of the membership being less than three persons or upon the vote of a three-fourths majority of the members present at a General Meeting or Special General Meeting convened to consider such question. Upon dissolution, assets and funds on hand shall, after payment of all expenses and liabilities, be handed over to such registered or exempted charity or charities which have been approved in terms of Section 78(1)(a) of the Income Tax and Social Services Contribution Assessment Act as a majority of the members present at a General Meeting may decide.