



A BODY OF AFFILIATED PAST APEXIAN GROUPS

Apex 40 Australia Inc.

Rules and By-Laws

May 26, 2012

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Approval – 3763354

Version 1.01

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Version 1.02



1) Interpretation

(1) In these rules;

Act means the *Associations Incorporation Act (Queensland) 1981*.

Present;

- (a) at a National Board meeting, see rule 23(6); or
- (b) at a General Meeting, see rule 37(1).

That,

- (a) the CEO is the Chief Executive Officer of the Office of Fair Trading;
- (b) the masculine gender shall include the feminine gender;
- (c) the singular and plural and vice versa apply where applicable;
- (d) the Roaring 40's means - a newsletter used by Apex 40 Australia Inc. to communicate items of interest to members.

(see By Law 7)

2) Name and Address

- (1) The organisation shall be known as Apex 40 Australia Inc.
- (2) Apex 40 Australia Inc. is to be registered in Queensland and also with ASIC so as to include members from all states of Australia.
- (3) The address of the office of Apex 40 Australia Inc. will be that of the current Secretary.

(See By-Law 4)

3) Objects

- (1) To foster fellowship among Past Apexians and members of WOCO organisations.
- (2) To retain friendships made in Apex on a purely social basis.
- (3) Not to compete as a service organisation involved in fund raising.
- (4) Apex 40 Australia Inc. is a non-political, non-sectarian and a not for profit organisation.

4) Powers

- (1) The association has the powers of an individual.
- (2) The association may, for example;
 - (a) enter into contracts (example - Rort organizing Sub Committee arrangements); and
 - (b) open and operate bank accounts; and
 - (c) do other things necessary or convenient to be done in carrying out its affairs.

Note that all times, Powers shall be consistent with the Rules of the Association

4a) Insurance

The National Board shall take out and maintain insurance policies.

(See By-Law 8)

5) Classes of Membership

- 1) There will only be one class of Membership, that is, **Ordinary Member**.
- 2) Membership shall be open to:
 - (a) Past members of the Association of Apex Clubs Australia Inc. ("**Apex**") and past members of the World Council of Service Clubs ("**WOCO**") and their affiliated organisations, who have reached the normal retirement age of their respective organisation.
 - (b) Eligible members would include partners, ex partners and partners of ex members.
 - (c) Partners of eligible members, including widows and widowers thereof.
 - (d) The number of ordinary members is unlimited
 - (e) Members of overseas Service Clubs attending the annual Rort will be admitted as Ordinary members of Apex 40 Australia Inc. for the period of the Rort and Post Rort tour.

6) RORT

The RORT is the name given to the time when all members are given the chance to come together at a central location to enjoy fellowship and conduct an AGM.

7) New membership

- (1) An applicant for membership of the association shall be proposed by a financial member of the association (the *proposer*) and seconded by another financial member (the *seconder*).
- (2) An application for membership shall be;
 - (a) in writing or online; and
 - (b) signed by the applicant and the applicant's proposer and seconder; and
 - (c) If the application is completed online, it is deemed to be signed by the applicant and upon the Secretary verifying the authenticity of the application it is accept that the application is proposed and seconded as in 7) (2) (b).
 - (d) in the form decided by the National Board.
 - (e) Each Sub Committee has the right to approve membership of their Sub Committee, and, upon receipt of the required details for the National Register by the Secretary, the National Board shall endorse the membership. It is recommended that the membership form in By-Law 16 be used by the Sub Committee.

8) Membership Fee

- (1) Members shall pay annually a Membership Fee, determined by the Annual General Meeting each year to cover fees, insurance, postage and other operating costs of Apex 40 Australia Inc.
- (2) Such Membership fee is to be paid to the National Treasurer by January 31st each year by each member or their representative.
- (3) The National Treasurer shall present Membership Fee recommendation to the Annual General Meeting for adoption.

9) Admission and rejection of new members

- (1) The National Board shall consider an application for membership at the next committee meeting held after it receives;
 - (a) the application for membership; and
 - (b) the appropriate membership fee for the application.
- (2) The National Board shall ratify an application made by a Sub Committee.

10) When membership ends

- (1) The member remains un-financial for a period of at least three (3) months
- (2) A member may resign from the association by giving a written notice of resignation to the Secretary.
- (3) The resignation takes effect at;
 - (a) the time the notice is received by the Secretary; or
 - (b) if a later time is stated in the notice; the later time.
- (4) The National Board may terminate a member's membership if the member;
 - (a) is convicted of an indictable offence; or
 - (b) does not comply with any of the provisions of these rules; or
 - (c) has membership fees in arrears for at least three (3) months; or
 - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association.
- (5) The Secretary shall give written notice to the member of the National Board's decision to terminate a membership.
- (6) A member shall have a full and fair opportunity to show why the membership should not be terminated.
- (7) If, after considering all representations made by the member, the National Board affirms its decision to terminate the membership, the Secretary shall give the member a written notice of the decision.
- (8) Notification may be given by mail or E-mail.

11) Appeal against rejection or termination of membership

- (1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the Secretary written notice of the person's intention to appeal against the decision.
- (2) A notice of intention to appeal shall be given to the Secretary within 1 month after the person receives written notice of the decision.
- (3) If the Secretary receives a notice of intention to appeal, the Secretary shall, within 1 month after receiving the notice, call a meeting of the conduct committee to decide the appeal.
(see rule 12)

12) Conduct Committee meeting to decide appeal

- (1) The Conduct Committee membership shall be three (3) ordinary members who are not members of the National Board.
- (2) The Conduct Committee meeting to decide an appeal shall be held within 3 months after the Secretary receives the notice of intention to appeal.
- (3) At the meeting, the applicant shall be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (4) Also, the National Board and the members of the committee who rejected the application or terminated the membership shall be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
- (5) An appeal shall be decided by a majority vote of the members present and eligible to vote at the meeting.
- (6) If a person whose application for membership has been rejected does not appeal against the decision within 1 month after the date of issue by the Secretary of written notice of the decision, or the person appeals but the appeal is unsuccessful, the Secretary shall, as soon as practicable, refund the membership fee paid by the person.
- (7) No legal representation of the appellant is permitted at the meeting.

13) National Register of Members

- (1) The Secretary shall keep and maintain a Register of Members of the association.
- (2) The register shall include the following particulars for each member:
 - (a) the full name of the member;
 - (b) the postal and or residential address of the member;
 - (c) the E-mail address of the member, if applicable;
 - (d) the Home and Mobile telephone numbers, if applicable;
 - (e) the occupation of the member;
 - (f) the date of birth of the member (for insurance reasons);
 - (g) the date of admission as a member;
 - (h) the date of death or time of resignation of the member;
 - (i) details about the termination or reinstatement of membership;
 - (j) any other particulars the National Board or the members at a general meeting decide.
- (3) The register shall be open for inspection by all members of the association at all reasonable times for viewing of his own details therein.
- (4) A member shall contact the Secretary to arrange an inspection of the Register.
- (5) However, the National Board may, on the application of a member of the association, withhold information about the member (other than the members full name) from the register available for inspection if the National Board has reasonable grounds for believing the disclosure of the information would put the member at risk of harm, unless required to do so by law.

14) Prohibition on use of information on register of members:

- (1) A member of the association shall not;
 - (a) use information obtained from the register of members of the association to contact, or send material to, another member of the association for the purpose of advertising, political, religious, charitable or commercial purposes; or
 - (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to another member of the association for the purpose of advertising, political, religious, charitable or commercial purposes.
 - (c) The Secretary or the Treasurer or any other member shall not disclose any information whatsoever pertaining to a member if that member advises in writing that he does not permit disclosure of the said information.

15) Appointment or election of Secretary

- (1) The Secretary shall be an individual residing in Queensland, or in another State provided that he resides within sixty-five (65) kilometres of the Queensland border and who is;
- (2) a member of the association elected by the members at an Annual General Meeting as Secretary; or any of the following persons appointed by the National Board as Secretary;
 - (a) a member of the Apex 40 Australia Inc. National Board.
 - (b) another member of the Apex 40 Australia Inc.

If a vacancy happens in the office of Secretary, the members of the National Board shall ensure a Secretary is appointed or elected for the association within 1 month after the vacancy happens.

The person Elected or Nominated for the position of Secretary becomes a member of the National Board.

If no such Secretary can be found then an Acting Secretary may be appointed by the board until such time as the vacancy can be filled.

16) Removal of Secretary

(See Rule 20)

17) Functions of Secretary

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

18) Membership of National Board

- (1) The National Board of the association consists of a President, Vice President, IRO, Secretary, Treasurer, and any other members the association members elected at an Annual General meeting.
- (2) A member of the National Board, shall be a financial member of the association.
- (3) At each Annual General meeting of the association, the members of the National Board shall retire from office, but are eligible, on nomination, or re-election subject to rule 19.
- (4) A member of the association may be appointed to a casual vacancy on the National Board under rule 21.

19) Election National Board

At the Annual General Meeting the Members shall elect or confirm the National Board subject to the following;

The National Board shall consist of a minimum of five (5) Members, to fill the positions of:

- 1) President:
 - (a) If the current Vice President is nominating for the position of President, then this needs to be confirmed by the members at the AGM.
 - (b) In the event that the current Vice President is not nominating for the position of President, and another member/s nominate/s for the position of President, then the members present at the AGM shall elect a President.
 - (c) The President shall serve a term of one (1) year.
- 2) Vice President
 - (a) The position of Vice President shall be elected by the members at the AGM.
 - (b) The Vice President shall serve a term of one (1) year.
- 3) Secretary:
 - 1(a) The position of Secretary shall be confirmed or elected by the members at the AGM.
 - 2(b) The term of office shall be a minimum of two (2) years.

- 4) Treasurer:
 - (a) The position of Treasurer shall be confirmed or elected by the members at the AGM.
 - (b) The term of office shall be a minimum of two (2) years.
- 5) International Relations and Apex Australia Liaison Officer (IRO):
 - (a) The position of IRO shall be confirmed or elected by the members at the AGM.
 - (b) The term of office shall be a minimum of two (2) years.

Three additional ordinary Members may be nominated by the National Board.

e.g. Memberships, Roaring 40's Editor and WEB developer.

The term of each office shall be a minimum of two (2) years.

- (a) Election/confirmation shall be by simple majority of Members present and entitled to vote (Financial).
- (b) Election/confirmation may be by show of hands or secret ballot as determined by the Chairperson.
- (c) Nominations shall be submitted to the Secretary 14 days prior to the AGM.
- (d) If insufficient nominations are received by the due date, nominations may be called during the Annual General Meeting.

20) Resignation, removal or vacation of office of National Board member

- (1) A member of the National Board may resign from the National Board by giving written notice of resignation to the Secretary.
- (2) The resignation takes effect at;
 - (a) the time the notice is received by the Secretary; or
 - (b) if a later time is stated in the notice; the later time.
- (3) A member may be removed from office at a general meeting of the association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- (4) Before a vote of members is taken about removing the member from office, the member shall be given a full and fair opportunity to show cause, why he or she should not be removed from office.
- (5) A member has no right of appeal against their removal from office under this rule.
- (6) A member immediately vacates the office in the circumstances mentioned in section 64(2) of the Act.

21) Vacancies on National Board

- (1) If a casual vacancy happens on the National Board, the continuing members of the National Board may appoint another member of the association to fill the vacancy until the next Annual General meeting.
- (2) The continuing members of the National Board may act despite a casual vacancy on the National Board.
- (3) However, if the number of National Board members is less than the number fixed under rule 24(1) as a quorum of the National Board, the continuing members may act only to;
 - (a) increase the number of National Board members to the number required for a quorum;
 - or
 - (b) call a general meeting of the association.

22) Functions of National Board

- (1) Subject to these rules or a resolution of the members of the association carried at an Annual General Meeting, the National Board has the general control and management of the administration of the affairs, property and funds of the association.
- (2) The National Board has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent, but any interpretation shall have regard to the Act, including any regulation made under the Act.
- (3) The National Board may exercise the powers of the association;
 - (a) to borrow, raise or secure the payment of amounts in a way the members of the association decide; and
 - (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in any way; and
 - (c) to borrow amounts from members and pay interest on the amounts borrowed; and
 - (d) to invest in a way the members of the association may from time to time decide.
- (4) For sub rule (3)(c), the rate of interest shall not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by;
 - (a) the financial institution for the association; or
 - (b) if there is more than one (1) financial institution for the association; the financial institution nominated by the National Board.

23) Meetings of National Board

- (1) Subject to this rule, the National Board may meet and conduct its proceedings as it considers appropriate.
- (2) The National Board shall meet at least once every 4 months to exercise its functions.
- (3) The National Board shall decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the National Board.
- (5) The National Board may hold meetings, or permit a National Board member to take part in its meetings, by using any technology that reasonably allows the member to take part in discussions. (this includes Post, telephone and E-mail or other electronic media).
- (6) A Board member who participates in the meeting as mentioned in sub rule (5) is taken to be present at the meeting.
- (7) A question arising at a National Board meeting is to be decided by a majority vote of members of the committee present at the meeting and, if the votes are equal, the question is decided in the negative.
- (8) A member of the National Board shall not vote on a question about a contract or proposed contract with the association if the member has an interest in the contract or proposed contract and, if the member does vote, the members vote shall not be counted.
- (9) The President is to preside as chairperson at a National Board meeting.
- (10) If there is no President or if the President is not present within 15 minutes after the time fixed for a National Board meeting, the members may choose 1 of their number to preside as Chairperson at the meeting.

24) Quorum for National Board meeting

- (1) At a National Board meeting, 50% or more of the members elected to the National Board as at the close of the last AGM of the members shall form a quorum.
- (2) If there is no quorum within 30 minutes after the time fixed for a National Board meeting called on the request of members of the National Board, the meeting lapses.

- (3) If there is no quorum within 30 minutes after the time fixed for a National Board meeting called other than on the request of the members of the National Board;
 - (a) the meeting is to be adjourned for at least 1 day; and
 - (b) the members of the National Board who are present are to decide the day, time and place of the adjourned meeting.
- (4) If, at an adjourned meeting mentioned in sub rule (3), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

25) Special meeting of National Board

- (1) If the Secretary receives a written request signed by at least 50% of the members of the National Board, the Secretary shall call a special meeting of the National Board by giving each member of the committee notice of the meeting within 14 days after the Secretary receives the request.
- (2) If the Secretary is unable or unwilling to call the special meeting, the President shall call the meeting.
- (3) A request for a special meeting shall state;
 - (a) why the special meeting is called; and
 - (b) the business to be conducted at the meeting.
- (4) A notice of a special meeting shall state;
 - (a) the day, time and place of the meeting; and
 - (b) the business to be conducted at the meeting.
- (5) A special meeting of the National Board shall be held within 30 days after notice of the meeting is given to the members of the National Board.

26) Minutes of National Board meetings

The Secretary shall ensure full and accurate minutes of all meetings comply with the Corporations Act 2001 - Section 251A

27) Appointment of and procedures of Sub Committees

- (1) Sub Committees may from time to time be formed as the National Board deems necessary.

28) Acts not affected by defects or disqualifications

- (1) An act performed by the National Board a Conduct Committee or a person acting as a member of the National Board is taken to have been validly performed.
- (2) Sub rule (1) applies even if the act was performed when;
 - (a) there was a defect in the appointment of a member of the National Board, Conduct Committee or person acting as a member of the National Board; or
 - (b) a National Board member, Conduct Committee member or person acting as a member of the National Board was disqualified from being a member.

29) Resolutions of National Board without meeting

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

31) Subsequent Annual General Meetings

Each subsequent Annual General Meeting shall be held;

- (a) at least once each year; and
- (b) within 6 months after the end date of the association's reportable financial year.

32) Business to be conducted at an Annual General Meeting of Apex 40 Australia Inc. as defined within the Act.

- (1) Rules 32, 33 and 34 are defined as follows:
- (2) Apex 40 Australia Inc. has a constantly changing annual total revenue and minimal assets.
- (3) The Secretary will assess annually the turnover of the Incorporated Body and comply with the "Financial Reporting Requirements" as defined in Act and set the Level (1, 2 or 3) for auditing purposes.
 - (a) As per level 1, an Auditor will audit the financial records.
 - (b) As per Level 2, an Auditor or Certified Accountant will audit the financial records.
 - (c) As per Level 3, the President or Treasurer will verify the financial accounts.
- (4) The following business shall be conducted at each Annual General Meeting of the association;
 - (a) receiving the association's financial statement, and signed statement, for the last reportable financial year;
 - (b) presenting the financial statement and audit report to the meeting for adoption;
 - (c) appointing an Auditor, Certified Accountant or Verifier for the present financial year;
 - (d) electing members of the National Board;
 - (e) elect or confirm members to the National Board as per Rule 19;
 - (f) set the membership fee for the new financial year;
 - (g) the Secretary shall submit a Profit and Loss Statement and Budget to the AGM;
 - (h) confirmation of the previous minutes.

35) Notice of Annual General Meeting

- (1) The Annual General Meeting shall be held between March 1st and June 30th each year.
- (2) The Secretary shall give at least one-month (thirty days) notice to members.
- (3) If the Secretary is unable or unwilling to call the meeting, the President shall call the meeting.
- (4) The National Board may decide the way in which the notice shall be given:
 - (a) Australia Post or
 - (b) E-mail or
 - (c) "Roaring 40's" or
 - (d) APEX 40 Australia Inc. WEB site.

This notice shall state the business to be conducted at the meeting and shall contain the date, time and venue of the Annual General Meeting together with notice of any other proposed business to be conducted.

- (5) The meeting shall be held where possible as part of the program for the Annual Rort.

36) Quorum for, and adjournment of, General Meeting

- (1) The quorum for a general meeting is at least the number of members elected or appointed to the National Board at the close of the association's last general meeting plus ten (10).
- (2) However, if all members of the association are members of the National Board, the quorum is the total number of members less 1.
- (3) No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.
- (4) If there is no quorum within 30 minutes after the time fixed for a general meeting called on the request of members of the National Board or the association, the meeting lapses.
- (5) If there is no quorum within 30 minutes after the time fixed for a general meeting called other than on the request of members of the National Board or the association;
 - (a) the meeting is to be adjourned for at least 1 day; and
 - (b) the National Board is to decide the day, time and place of the adjourned meeting.
- (6) The chairperson may, with the consent of any meeting at which there is a quorum, and shall if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (7) If a meeting is adjourned under sub rule (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (8) The Secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- (9) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting shall be given in the same way notice is given for an original meeting.

37) Procedure at General Meeting

- (1) A member may take part and vote in a general meeting in person only.
- (2) No proxy votes will be permitted
- (3) At each general meeting;
 - (a) the National President is to preside as chairperson; and
 - (b) if there is no National President or if the National President is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the members present shall elect 1 of their number to be Chairperson of the meeting; and
 - (c) the Chairperson shall conduct the meeting in a proper and orderly way.

38) Voting at General Meeting

- (1) At a general meeting, each question, matter or resolution, other than a special resolution, shall be decided by a majority of votes of the members present.
- (2) The passing of a special resolution requires a majority of 75% in favour
- (3) Each member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.
- (4) A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.
- (5) The method of voting is to be decided by the National Board.
- (6) However, if at least 20% of the members present demand a secret ballot, voting shall be by secret ballot.
- (7) If a secret ballot is held, the chairperson shall appoint 2 members to conduct the secret ballot in the way the chairperson decides.
- (8) The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held.

39) Special general meeting

- (1) The Secretary shall call a special general meeting by giving each member of the association notice of the meeting within 14 days after;
 - (a) being directed to call the meeting by the National Board; or
 - (b) being given a written request signed by;
 - (i) at least 50% of the number of members of the National Board when the request is signed; or
 - (ii) at least the number of ordinary members of the association equal to double the number of members of the association on the National Board when the request is signed plus 1; or
 - (c) being given a written notice of an intention to appeal against the decision of the National Board;
 - (i) to reject an application for membership; or
 - (ii) to terminate a person's membership.
- (2) A request mentioned in sub rule (1)(b) shall state;
 - (a) why the special general meeting is being called; and
 - (b) the business to be conducted at the meeting.
- (3) A special general meeting shall be held within 3 months after the Secretary;
 - (a) is directed to call the meeting by the National Board; or
 - (b) is given the written request mentioned in sub rule (1)(b); or
 - (c) is given the written notice of an intention to appeal mentioned in sub rule (1)(c).
- (4) If the Secretary is unable or unwilling to call the special meeting, the President shall call the meeting.

40) Proxies at any General, Special General or Annual General Meeting

- (1) Only Financial Members of the association who are present at Meetings of the Association are eligible to Vote.
- (2) No Proxies may be allocated by any member of the Association.

41) Minutes of General, Special General and Annual General meetings

- (1) The Secretary shall ensure that full and accurate minutes of all questions, matters, resolutions and other proceedings of each General Special General and Annual General Meeting are recorded.
- (2) To ensure the accuracy of the minutes, the minutes of each General, Special General or Annual General Meeting shall be signed by the chairperson of the meeting, or the chairperson of the next Special General, General, or Annual General Meeting, verifying their accuracy.

If asked by a member of the Apex 40 Australia Inc., the Secretary shall, within 60 days after the request is made;

- (a) make the minutes for a particular general meeting available for inspection by the member at a mutually agreed time and place.
- (b) provide the member a copy of the minutes of the meeting at a reasonable cost.

42) By-laws

- (1) The National Board may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.
- (2) A by-law may be set aside by a vote of members at a general meeting of the association.
- (3) Written notice of any proposed changes to the by-laws are to be submitted to the Secretary not less than 60 days prior to the Annual General Meeting and they are to be included in the agenda for that Annual General Meeting.

43) Alteration of rules (Changes to the Constitution)

- (1) Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at an Annual General, General or Special General Meeting. Voting on such changes shall be by a simple majority of Members present and entitled to vote, or by secret ballot as determined by the Chairperson.
- (2) However, any amendment, repeal or addition is valid only if it is registered by the CEO.
- (3) Written notice of any proposed changes shall be submitted to the Secretary not less than 60 days prior to that General Meeting.

44) Common seal

- (1) The National Board shall ensure the association has a common seal.
- (2) The common seal shall be;
 - (a) kept securely by the National Board; and
 - (b) used only under the authority of the National Board.
- (3) Each instrument to which the seal is attached shall be signed by a member of the National Board and countersigned by;
 - (a) the Secretary; or
 - (b) another member of the National Board; or
 - (c) someone authorized by the National Board.



45) Funds and accounts

- (1) The funds of the association shall be kept in an account in the name of the association in a financial institution decided by the National Board.
- (2) Records and accounts shall be kept in the English language showing full and accurate particulars of the financial affairs of the association.
- (3) All amounts shall be deposited in the financial institution account as soon as practicable after receipt.
- (4) A payment by the association of \$100 or more shall be made by cheque or electronic funds transfer.
- (5) If a payment is made by cheque, the cheque shall be signed by any 2 of the following;
 - (a) the President;
 - (b) the Vice President;
 - (c) the Secretary
 - (d) the Treasurer;
 - (e) the International Relations and Apex Australia Liaison Officer
 - (f) either or both of the two (2) Ordinary Members of the National Board.
Note that these two members would be members of the Rort Sub Committee (See By-Law 12)
 - (g) The partner of another signatory shall not be a signatory.

- (6) However, 1 of the persons who signs the cheque shall be the President, Vice President, Secretary, Treasurer, International Relations and Apex Australia Liaison Officer, Rort Sub Committee Chairperson or Rort Sub Committee nominated member.
- (7) Cheques, other than cheques for wages, allowances or petty cash recoupment, shall be crossed not negotiable.
- (8) All expenditure shall be approved or ratified at a National Board meeting.

46) General financial matters

- (1) On behalf of the National Board, the Treasurer shall, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.
- (2) The income and property of the association shall be used solely in promoting the association's objects and exercising the association's powers.

47) Documents

The National Board shall ensure the safe custody of books, documents, instruments of title and securities of the association.

48) Financial year

The end date of the association's financial year is the 31st of January in each year.

49) Distribution of surplus assets to another entity

- (1) This rule applies if the association;
 - (a) is wound-up under part 10 of the Act; and
 - (b) has surplus assets.
- (2) The surplus assets shall not be distributed among the members of the association.
- (3) The surplus assets shall be given to another entity;
 - (a) having objects similar to the association's objects; and
 - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
 - (c) surplus assets will be given to the Incorporated body of Apex Clubs National Presidents Discretionary Fund or similar fund within Apex Australia
- (4) In this rule; *surplus assets* see section 92(3) of the Act.


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President:

Julie Primmer

Name



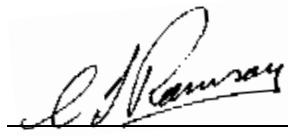
Signature

Date 08/06/2021

Secretary:

Colin I Ramsay

Name



Signature

Date 08/06/2021

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