

Queensland Masters Squash Association (IA09085)

Model Rules May 2025

These Model Rules replace the current lodged Rules with the Queensland Office of Fair Trading.

1 Interpretation

(1) In these rules—

- **Act** means *The Associations Incorporation Act 1981*.
- **Executive** means the QMSA's President, Treasurer and Secretary
- **Present** means
at a **QMSA Committee** meeting, see rule 22(6); or
at a general meeting, see rule 35(2).
- **QMSA Committee** means the annually selected QMSA Committee, at a general meeting vote.

(2) A word or expression that is not defined in these model rules, but is defined in the **Act** has, if the context permits, the meaning given by the **Act**.

2 Name

The name of the incorporated association is the Queensland Masters Squash Association (**The Association**).

3 Objects

The objects of **The Association** are to support and encourage both the uptake and continuation of squash in Queensland and through affiliated state and national organisations, amongst members and clubs providing facilities, by the provision of a members association, communications, tournaments and squash merchandise, as a non profit association.

4 Powers

(1) **The Association** has the powers of an individual.

(2) **The Association** may, for example—

- (a) enter into contracts; and
- (b) acquire, hold, deal with and dispose of property; and
- (c) make charges for services and facilities it supplies; and
- (d) do other things necessary or convenient to be done in carrying out its affairs.

(3) **The Association** may also issue secured and unsecured notes, debentures and debenture stock for **The Association**.

5 Classes of members

(1) The membership of **The Association** consists of 'ordinary active members', and any of the following classes of members – 'ordinary associate members'.

(2) The number of ordinary members is unlimited.

6 New membership

An applicant for membership of **The Association** must be received in writing on a QMSA Membership Application Form and signed by the applicant.

7 Membership fees

The membership fee for each ordinary membership and for each other class of membership (if any)—

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

8 Admission and rejection of new members

- (1) The *QMSA Committee* will accept an application for membership providing it is provided
 - (a) the completed Application Form for membership; and
 - (b) the appropriate membership fee for the application.
- (2) The *QMSA Committee* must ensure that, as soon as possible after the person applies to become a member of *The Association*, and before the *QMSA Committee* considers the persons application, the person is advised—
 - (a) whether or not *The Association* has public liability insurance; and
 - (b) if *The Association* has public liability insurance—the amount of the insurance.

9 When membership ends

- (1) A member may resign from *The Association* by giving a written notice of resignation to the Secretary.
- (2) The resignation takes effect at—
 - (a) the time the notice is received by the Secretary; or
 - (b) if a later time is stated in the notice—the later time.
- (3) The *QMSA Committee* may terminate a members 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 2 months; or
 - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of *The Association*.
- (4) Before the *QMSA Committee* terminates a member's membership, it must give the member a full and fair opportunity to show why the membership should not be terminated.
- (5) If, after considering all representations made by the member, the *QMSA Committee* decides to terminate the membership, the Secretary must give the member a written notice of the decision. Any (pro rata) refund of membership shall be at the discretion of the *QMSA Committee*.
- (6) Membership may be reinstated at any time and will be subject to the new membership conditions in clauses 6 and 8.

10 Appeal against rejection or termination of membership

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

11 General meeting to decide appeal

- (1) The general meeting to decide an appeal must be held within 3 months after the Secretary receives the notice of intention to appeal.
- (2) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (3) Also, the **QMSA Committee** and the members of it who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.
- (4) An appeal must be decided by a majority vote (not less than 50%) of the members present and eligible to vote at the meeting.
- (5) If a person whose application for membership has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the Secretary must, as soon as practicable, refund the membership fee paid by the person.

12 Register of members

- (1) The **QMSA Committee** must keep a register of members of *The Association*.
- (2) The register must include the following particulars for each member—
 - (a) the full name of the member;
 - (b) the postal or residential address of the member;
 - (c) details about the termination or reinstatement of membership;
 - (d) any other particulars the **QMSA Committee** or the members at a general meeting decide.
- (3) The register must be open for inspection by members of *The Association* at all reasonable times and access is subject to Information Privacy Principles as set out under the Privacy Act 1988.
- (4) A member must contact the Secretary to arrange an inspection of the register.
- (5) However, the **QMSA Committee** may, on the application of a member of *The Association*, withhold information about that member (other than the members full name) from the register available for inspection if the **QMSA Committee** has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.
- (6) By becoming a member applicants agree to receive regular QMSA newsletter and having their name and photo featured in *The Associations* material when relevant.

13 Prohibition on use of information on register of members

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

14 Appointment or election of Secretary

(1) The Secretary must be an individual residing in Queensland, or in another State but not more than 65km from the Queensland border, who is—

- (a) a member of *The Association* elected by *The Association* as Secretary; or
- (b) any of the following persons appointed by the *QMSA Committee* as Secretary—
 - (i) a member of the *QMSA Committee*;
 - (ii) another member of *The Association*;
 - (iii) another person.

(2) If a vacancy happens in the office of Secretary, the members of the *QMSA Committee* must ensure a Secretary is appointed or elected for *The Association* within 1 month after the vacancy happens.

(3) If the *QMSA Committee* appoints a person mentioned in subrule (1) (b) (ii) as Secretary, other than to fill a casual vacancy on the *QMSA Committee*, the person does not become a member of the *QMSA Committee*.

(4) However, if the *QMSA Committee* appoints a person mentioned in subrule (1) (b) (ii) as Secretary to fill a casual vacancy on the *QMSA Committee*, the person becomes a member of the *QMSA Committee*.

(5) If the *QMSA Committee* appoints a person mentioned in subrule (1) (b) (iii) as Secretary, the person does not become a member of the *QMSA Committee*.

(6) In this rule— *casual vacancy*, on a *QMSA Committee*, means a vacancy that happens when an elected member of the *QMSA Committee* resigns, dies or otherwise stops holding office.

15 Removal of Secretary

(1) The *QMSA Committee* of *The Association* may at any time remove a person appointed by it as the Secretary.

(2) If the *QMSA Committee* removes a Secretary who is a person mentioned in rule 14(1) (b) (i), the person remains a member of the *QMSA Committee*.

(3) If the *QMSA Committee* removes a Secretary who is a person mentioned in rule 14(1) (b) (ii) and who has been appointed to a casual vacancy on the *QMSA Committee* under rule 14(4), the person remains a member of the *QMSA Committee*.

16 Functions of the Secretary

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*.

17 Membership of the QMSA Committee

(1) The *QMSA Committee* of *The Association* consists of an *Executive* and any other members *The Association* members elect at a general meeting.

(2) A member of the *QMSA Committee*, other than a Secretary appointed by the *QMSA Committee* under rule 14(1) (b) (iii), must be a member of *The Association*.

- (3) At each annual general meeting of *The Association*, the members of the *QMSA Committee* must retire from office, but are eligible, on nomination, for re-election.
- (4) A member of *The Association* may be appointed to a casual vacancy on the *QMSA Committee* under rule 20.
- (5) Member numbers of the *QMSA Committee* are limited to maximum as prescribed in the Bylaws of the Association.

18 Electing the QMSA Committee

- (1) A member of the *QMSA Committee* may only be elected as follows—
 - (a) any 2 members of *The Association* may nominate another member (the *candidate*) to serve as a member of the *QMSA Committee*;
 - (b) the nomination must be—
 - (i) in writing; and
 - (ii) signed by the candidate and the members who nominated him or her; and
 - (iii) given to the Secretary at least 14 days before the annual general meeting at which the election is to be held;
 - (c) each member of *The Association* present and eligible to vote at the annual general meeting may vote for 1 candidate for each vacant position on the *QMSA Committee*;
 - (d) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- (2) A person may be a candidate only if the person—
 - (a) is an adult; and
 - (b) is not ineligible to be elected as a member under section 61A of the Act.
- (3) A list of the candidates names in alphabetical order, with the names of the members who nominated each candidate, must be posted in any relevant member correspondence, such as newsletters and on *The Associations* website, and in a conspicuous place in the office or usual place of meeting of *The Association* for at least 7 days immediately preceding the annual general meeting.
- (4) If required by the *QMSA Committee*, balloting lists must be prepared containing the names of the candidates in alphabetical order.
- (5) The *QMSA Committee* must ensure that, before a candidate is elected as a member of the *QMSA Committee*, the candidate is advised—
 - (a) whether or not *The Association* has public liability insurance; and
 - (b) if *The Association* has public liability insurance—the amount of the insurance.

19 Resignation, removal or vacation of office of QMSA Committee member

- (1) A member of the *QMSA Committee* may resign from it by giving written notice of resignation to the Secretary.
- (2) The resignation takes effect at—
 - (a) the time the notice is received by the Secretary; or
 - (b) if a later time is stated in the notice—the later time.
- (3) A member may be removed from office at a general meeting of *The Association* if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.
- (4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.

(5) A member has no right of appeal against the members' removal from office under this rule.

(6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

20 Vacancies on QMSA Committee

(1) If a casual vacancy happens on the *QMSA Committee*, the continuing members of the committee may appoint another member of *The Association* to fill the vacancy until the next annual general meeting.

(2) The continuing members of the *QMSA Committee* may act despite a casual vacancy on the *QMSA Committee*.

(3) However, if the number of committee members is less than the number fixed under rule 23(1) as a quorum of the *QMSA Committee*, the continuing members may act only to—

- (a) increase the number of *QMSA Committee* members to the number required for a quorum; or
- (b) call a general meeting of *The Association*.

21 Functions of QMSA Committee

(1) Subject to these rules or a resolution of the members of *The Association* carried at a general meeting, the *QMSA Committee* has the general control and management of the administration of the affairs, property and funds of *The Association*.

(2) The *QMSA Committee* has authority to interpret the meaning of these rules and any matter relating to *The Association* on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act ¹.

(3) The *QMSA Committee* 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, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of *The Associations* property, both present and future; and
 - (c) to purchase, redeem or pay off any securities issued; and
 - (d) to borrow amounts from members and pay interest on the amounts borrowed; and
 - (e) to mortgage or charge the whole or part of its property; and
 - (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of *The Association*; and
 - (g) to provide and pay off any securities issued; and
 - (h) to invest in a way the members of *The Association* may from time to time decide.
- (4) For subrule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by—
- (a) the financial institution for *The Association*; or
 - (b) if there is more than 1 financial institution for *The Association*—the financial institution nominated by the *QMSA Committee*.

22 Meetings of QMSA Committee

(1) Subject to this rule, the *QMSA Committee* may meet and conduct its proceedings as it considers appropriate.

- (2) The ***QMSA Committee*** must meet at least once every 3 months to exercise its functions.
- (3) The ***QMSA Committee*** must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the ***QMSA Committee***.
- (5) The ***QMSA Committee*** may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (6) A committee member who participates in the meeting as mentioned in subrule (5) is taken to be present at the meeting.
- (7) A question arising at a committee meeting is to be decided by a majority vote (not less than 50%) of members of the ***QMSA Committee*** present at the meeting and, if the votes are equal, the question is decided in the negative.
- (8) A member of the ***QMSA Committee*** must not vote on a question about a contract or proposed contract with ***The Association*** if the member has an interest in the contract or proposed contract and, if the member does vote, the members vote must not be counted.
- (9) The President is to preside as Chairperson at a ***QMSA Committee*** meeting.
- (10) If there is no President or if the President is not present within 10 minutes after the time fixed for a ***QMSA Committee*** meeting, the members may choose 1 of their number to preside as Chairperson at the meeting.

23 Quorum for, and adjournment of, a QMSA Committee meeting

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

24 Special meeting of QMSA Committee

- (1) If the Secretary receives a written request signed by at least 33% of the members of the ***QMSA Committee***, the Secretary must call a special meeting of it by giving each member of the ***QMSA Committee*** notice of the meeting within 21 days after the Secretary receives the request.
- (2) If the Secretary is unable or unwilling to call the special meeting, the President must call the meeting.
- (3) A request for a special meeting must state—
 - (a) why the special meeting is called; and
 - (b) the business to be conducted at the meeting.
- (4) A notice of a special meeting must state—
 - (a) the day, time and place of the meeting; and
 - (b) the business to be conducted at the meeting.
- (5) A special meeting of the ***QMSA Committee*** must be held within 21 days after notice of the meeting is given to the members of the ***QMSA Committee***.

25 Minutes of QMSA Committee meetings

- (1) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each *QMSA Committee* meeting are entered into an electronic file and saved onto a hard drive.
- (2) To ensure the accuracy of the minutes, the minutes of each *QMSA Committee* meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next *QMSA Committee* meeting, verifying their accuracy.

26 Appointment of subcommittees

- (1) The *QMSA Committee* may appoint a subcommittee consisting of members of *The Association* considered appropriate by it to help with the conduct of *The Associations* operations.
- (2) A member of the subcommittee who is not a member of the *QMSA Committee* is not entitled to vote at a *QMSA Committee* meeting.
- (3) A subcommittee may elect a Chairperson of its meetings.
- (4) If a Chairperson is not elected, or if the Chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.
- (5) A subcommittee may meet and adjourn as it considers appropriate.
- (6) A question arising at a subcommittee meeting is to be decided by a majority vote (not less than 50%) of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

27 Acts not affected by defects or disqualifications

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

28 Resolutions of the QMSA Committee without meeting

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

29 Annual general meetings

Annual general meeting must be held—

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

30 Business to be conducted at annual general meeting of level 1 incorporated associations and particular level 2 and 3 incorporated associations

- (1) This rule applies only if *The Association* is—
 - (a) a level 1 incorporated association; or

- (b) a level 2 incorporated association to which section 59 of the Act applies; or
 - (c) a level 3 incorporated association to which section 59 of the Act applies.
- (2) The following business must be conducted at each annual general meeting of *The Association*—
- (a) receiving *The Association's* financial statement, and audit report, for the last reportable financial year;
 - (b) presenting the financial statement and audit report to the meeting for adoption;
 - (c) electing members of the *QMSA Committee*;
 - (d) for a level 1 incorporated association—appointing an auditor or an accountant for the present financial year;
 - (e) for a level 2 incorporated association, or a level 3 incorporated association, to which section 59 of the Act applies—appointing an auditor, an accountant or an approved person for the present financial year.

31 Business to be conducted at annual general meeting of other level 3 incorporated associations

- (1) The following business must 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 signed statement to the meeting for adoption;
 - (c) electing members of the *QMSA Committee*.

32 Notice of general meeting

- (1) The Secretary may call a general meeting of *The Association*.
- (2) The Secretary must give at least 21 days notice of the meeting to each member of *The Association*.
- (3) If the Secretary is unable or unwilling to call the meeting, the President must call the meeting.
- (4) The *QMSA Committee* may decide the way in which the notice must be given.
- (5) However, notice of the following meetings must be given in writing—
 - (a) a meeting called to hear and decide the appeal of a person against the *QMSA Committee's* decision—
 - (i) to reject the person's application for membership of *The Association*; or
 - (ii) to terminate the person's membership of *The Association*;
 - (b) a meeting called to hear and decide a proposed special resolution of *The Association*.
- (6) A notice of a general meeting must state the business to be conducted at the meeting.

33 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 *QMSA Committee* at the close of *The Association's* last general meeting plus 1.
- (2) However, if all members of *The Association* are members of the *QMSA Committee*, 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 *QMSA Committee* 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 ***QMSA Committee*** or ***The Association***—

(a) the meeting is to be adjourned for at least 7 days; and

(b) the ***QMSA Committee*** 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 must if directed by the meeting, adjourn the meeting from time to time and from place to place.

(7) If a meeting is adjourned under subrule (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 must be given in the same way notice is given for an original meeting.

34 Procedure at general meeting

(1) A member may take part and vote in a general meeting in person, by postal vote, by attorney or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.

(2) A member who participates in a meeting as mentioned in subrule (1) is taken to be present at the meeting.

(3) At each general meeting—

(a) the President is to preside as Chairperson; and

(b) if there is no President or if the President is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the members present must elect 1 of their number to be Chairperson of the meeting; and (c) the Chairperson must conduct the meeting in a proper and orderly way.

35 Voting at general meeting

(1) At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present.

(2) Each member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the Chairperson has a casting vote as well as a primary vote. Votes counted will include postal votes received.

(3) A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.

(4) The method of voting is to be decided by the ***QMSA Committee*** e.g. show of hands, ballot vote.

(5) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.

(6) If a secret ballot is held, the Chairperson must appoint 2 members to conduct the secret ballot in the way the Chairperson decides.

(7) 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.

36 Special general meeting

(1) The Secretary must call a special general meeting by giving each member of ***The Association*** notice of the meeting within 21 days after—

- (a) being directed to call the meeting by the *QMSA Committee*; or
- (b) being given a written request signed by—
 - (i) at least 33% of the number of members of the *QMSA Committee* when the request is signed; or
 - (ii) at least the number of ordinary members of *The Association* equal to double the number of members of *The Association* on the *QMSA Committee* when the request is signed plus 1; or
- (c) being given a written notice of an intention to appeal against the decision of the *QMSA Committee*—
 - (i) to reject an application for membership; or
 - (ii) to terminate a person's membership.
- (2) A request mentioned in subrule (1)(b) must 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 must be held within 3 months after the Secretary—
 - (a) is directed to call the meeting by the *QMSA Committee*; or
 - (b) is given the written request mentioned in subrule (1)(b); or
 - (c) is given the written notice of an intention to appeal mentioned in subrule (1)(c).
- (4) If the Secretary is unable or unwilling to call the special meeting, the president must call the meeting.

37 Postal votes

For the purpose of clarity a postal vote definition includes votes received by fax, email or delivered in person to a *QMSA Committee* member.

- (1) Votes will be cast on a QMSA provided ballot paper, with a member entitled to 1 postal vote per resolution.
- (2) Postal votes are not permitted for special resolutions.
- (3) Ballot papers must be signed and dated by the QMSA member submitting them.
- (4) The QMSA will advise members at the time of the general meeting announcement that postal votes will be accepted for new Committee member votes and/or any none special resolutions to be decided at the general meeting, and that ballot papers can be downloaded from the QMSA web site 21 days in advance, and returned to the Secretary by midnight the day before the general meeting.
- (5) Postal voters are assumed not to be attending the general meeting; if they do then their postal vote will not be counted and they must vote in person on the day.
- (6) Postal votes outcome are considered secret if a secret ballot is held.
- (7) A member is not entitled to a postal vote at a general meeting if the member's annual subscription is in arrears at the date of signing the postal vote.

38 Minutes of general meetings

- (1) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered into an electronic file and saved onto a hard drive.
- (2) To ensure the accuracy of the minutes—
 - (a) the minutes of each general meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next general meeting, verifying their accuracy; and

- (b) the minutes of each annual general meeting must be signed by the Chairperson of the meeting, or the Chairperson of the next meeting of *The Association* that is a general meeting or annual general meeting, verifying their accuracy.
- (3) If asked by a member of *The Association*, the Secretary must, within 1 month after the request is made—
 - (a) make the electronic file for a particular general meeting available for inspection by the member at a mutually agreed time and place; and
 - (b) give the member copies of the minutes of the meeting.
- (4) *The Association* may require the member to pay the reasonable costs of providing copies of the minutes.

39 By-laws

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

40 Alteration of rules

- (1) Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by the Chief Executive (which for the purpose of clarity means the Queensland Department of Justice and Attorney General).

41 Common seal

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

42 Funds and accounts

- (1) The funds of *The Association* must be kept in an account in the name of *The Association* in a financial institution decided by the *QMSA Committee*.
- (2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of *The Association*.
- (3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- (4) A payment by *The Association* of \$100 or more must be made by cheque or electronic funds transfer.
- (5) If a payment of \$100 or more is made by cheque, the cheque must be signed by any 2 of the following—
 - (a) an Executive member
 - (b) any 1 of 3 other members of *The Association* who have been authorised by the *QMSA Committee* to sign cheques issued by *The Association*.

- (6) However, 1 of the persons who signs the cheque must be the President, the Secretary or the Treasurer.
- (7) Cheques, other than cheques for wages or allowances, must be crossed 'not negotiable'.
- (8) All expenditure must be approved or ratified at a *QMSA Committee* meeting.

43 General financial matters

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

44 Documents

The *QMSA Committee* must ensure the safe custody of books, documents, instruments of title and securities of *The Association*.

45 Financial year

The end date of *The Association's* financial year is February in each year.

46 Distribution of surplus assets to another entity

- (1) This rule applies if *The Association*—
 - (a) is wound-up under part 10 of the Act; and
 - (b) has surplus assets.
- (2) The surplus assets must not be distributed among the members of *The Association*.
- (3) The surplus assets must be given to another entity—
 - (a) having objects similar to *The Association's* objects; and
 - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
- (4) In this rule— *surplus assets* see section 92(3) of the Act.

Superscripts

1 (Item 21) The Act prevails if *The Associations* rules are inconsistent with the Act—see section 1B of the Act.