

# SOUTHERN TASMANIAN TABLE TENNIS ASSOCIATION (INC)

## CONSTITUTION

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**SOUTHERN TASMANIAN TABLE TENNIS ASSOCIATION (INC)**  
**CONSTITUTION**

**A. THE ASSOCIATION**

**1. Name of Association**

The name of the association shall be the Southern Tasmanian Table Tennis Association (Incorporated) (in these Rules called the "Association").

**2. Interpretation**

(1) In these rules, unless the context otherwise requires –

**Act** means the Associations Incorporation Act 1964 ;

**annual general meeting** means an annual general meeting of the Association held under rule 13 ;

**Association** means the association referred to in rule 1 ;

**association** has the same meaning as in the Act;

**auditor** means the person appointed as the auditor of the Association under rule 9(1);

**objects and purposes of the Association** means the objects and purposes of the Association as stated in an application under section 7 of the Act for the incorporation of the Association;

**committee** means the committee of management referred to in rule 15(1) ;

**financial year** has the same meaning as in the Act;

**general meeting** means –

(a) an annual general meeting; or

(b) a special general meeting;

**officer of the Association** means a person elected as an officer of the Association at an annual general meeting or appointed as an officer of the Association under rule 16 ;

**ordinary business of an annual general meeting** means the business specified in rule 13(5) ;

**ordinary committee member** means a member of the committee other than an officer of the Association;

**public officer** means the person who is, under section 14 of the Act, the public officer of the Association;

**special meeting of the committee** means a meeting of the committee that is convened under rule 19(2);

**special general meeting** means a special general meeting of the Association convened under rule 14;

**special resolution** has the same meaning as in the Act.

**3. Association's Office**

The Office of the Association shall be at Kingborough Sports Centre, 10 Kingston View Drive, Kingston, Tasmania or such other place as the committee may, from time to time, decide.

**4. Objects and purposes of the Association**

(1) The basic objects of the Association, as stated in the application for the incorporation of the Association lodged with the Registrar pursuant to that section, shall be the encouragement and advancement of Table Tennis in Southern Tasmania, the arrangement and control of championships, inter-club matches and all matters incidental thereto.

(2) In addition to the basic objects of the Association, the objects and purposes of the Association shall be deemed to include:

- (a) the purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of the Association;
- (b) the buying, selling, and supplying of, and dealing in, goods of all kinds;
- (c) the construction, maintenance, and alteration of buildings or works necessary or convenient for any of the objects or purposes of the Association;
- (d) the accepting of any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of the Association;
- (e) the taking of such steps from time to time as the committee or members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Association, whether by way of donations, subscriptions, or otherwise;
- (f) the printing and publishing of such newspapers, periodicals, booklets, leaflets, or other documents as the committee or the members in general meeting may think desirable for the promotion and purposes of the Association;
- (g) the borrowing and raising of money in such manner and on such terms as the committee may think fit or as may be approved or directed by resolution passed at a general meeting;
- (h) subject to the provisions of the Trustee Act 1898, the investment of any moneys of the Association not immediately required for any of its objects or purposes in such manner as the committee may from time to time decide;
- (i) the making of gifts, subscriptions, or donations to any of the funds, authorities, or institutions to which Division 30 of the Income Tax Assessment Act 1997 as amended relates;
- (j) the establishment and support, or aiding in the establishment and support, of any other association formed for any of the basic objects of the Association;
- (k) the purchase or acquisition, and undertaking, of all or any part of the property, assets, liabilities and engagements of any Associations with which the Association may at any time become amalgamated in accordance with the provisions of the Act and the Rules of the Association; and
- (l) the doing of all such other lawful things as are incidental or conducive to the attainment of the basic objects of the Association or to any of the objects and purposes specified in the foregoing provisions of this sub-rule.

## **5. Membership of the Association**

- (1) A person who is nominated and approved for membership as provided in these Rules is eligible to be a member of the Association on payment of the annual subscription prescribed in, or fixed under, these Rules.
- (2) Membership of the Association may be sought in one of the following categories:
  - (a) full member - a person eighteen years or older who wishes to compete in rosters or championships;
  - (b) full cadet member - a person under eighteen years who wishes to compete in senior rosters or championships;
  - (c) recreational member - a person eighteen years or older who wishes to belong to the Association in a social playing capacity;
  - (d) social member - a person eighteen years or older who wishes to belong to the Association in a social non-playing capacity.

- (3) A nomination of a person for membership of the Association:
  - (a) shall be made in writing, signed by two members of the Association,
  - (b) shall be accompanied by the written consent of the person nominated (which may be endorsed on the form of nomination); and
  - (c) shall be lodged with the public officer, who shall promptly refer the nomination to the committee.
- (4) Upon a nomination being approved by the committee, the public officer shall, with as little delay as possible, notify the nominee, in writing, of that approval for membership of the Association and, upon receipt of the sum payable by or on behalf of the nominee as first year's subscription, shall enter the nominee's name in a register of members to be kept by the public officer, whereupon the nominee becomes a member of the Association.
- (5) A member of the Association may, at any time, resign from the Association by delivering or sending by post to the public officer a written notice of resignation, upon receipt of which the public officer shall remove that person's name from the register of members, whereupon that member ceases to be a member of the Association.
- (6) A right, privilege, or obligation of a person by virtue of their membership of the Association,
  - (a) is not capable of being transferred or transmitted to another person; and
  - (b) terminates upon the cessation of their membership, whether by death, resignation or otherwise.
- (7) Life members
  - (a) the committee may, by unanimous resolution, nominate any person who has given outstanding service to Table Tennis in Southern Tasmania for life membership of the Association;
  - (b) upon such nomination the member may be elected by a two-thirds majority of members present and eligible to vote at an annual general meeting;
  - (c) if elected, the life member shall thereupon become entitled to all the privileges of a financial member of the Association without payment of any contribution or fees (provided that for sufficient cause, the committee may cancel such life membership, pursuant to the provisions of rule 25), and may speak on any matter at any meeting of the committee or Association but may not vote except at general meetings, or except where he or she is elected or appointed to any sub-committee of the Association, when any such life member shall be entitled to vote
  - (d) no member with less than fifteen years of service consistent with the basic object of the Association shall be elected to life membership.

## **B. FINANCIAL**

### **6. Income and property of Association**

- (1) The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.
- (2) No portion of the income or property of the Association is to be paid or transferred to any member of the Association unless the payment or transfer is made in accordance with this rule.
- (3) The Association is not to appoint or nominate a member of the Association to an office in respect of which remuneration is payable other than under these Rules.

- (4) The Association may pay a person or member of the Association-
  - (i) in return for services rendered to the Association, or for goods supplied to the Association, in the ordinary course of business of the person or member; or
  - (ii) reimbursement for out-of-pocket expenses incurred by the person or member for any of the objects or purposes of the Association; or
  - (iii) on recommendation of the committee to the Annual General Meeting, by ordinary resolution, an honorarium in recognition of voluntary services, being a token amount relative to the hours contributed.
- (5) Despite sub-rule 4, the Association is not to pay a person any amount under that sub-rule unless the Association or committee has first approved that payment.

## **7. Accounts of receipts, expenditure, etc.**

- (1) True account shall be kept:
  - (a) of all sums of money received and expended by the Association and the matter in respect of which the receipt or expenditure takes place; and
  - (b) of the property, credits and liabilities of the Association;  
and subject to any reasonable restrictions as to time and manner of inspecting them that may be imposed by the Association for the time being, those accounts shall be open to the inspection of the members of the Association.
- (2) The Treasurer of the Association shall faithfully keep all general records, accounting books, and records of receipts and expenditure connected with the operations and business of the Association in such form and manner as the committee may direct.
- (3) The accounts, books, and records referred to in sub-rules (1) and (2) of this rule shall be kept at the Association's office or at such other place as the committee may decide.

## **8. Banking and Finance**

- (1) The Treasurer of the Association shall, on behalf of the Association, receive all moneys paid to the Association and forthwith after the receipt thereof issue official receipts therefor.
- (2) The committee shall cause to be opened with such bank as the committee selects a banking account in the name of the Association into which all moneys received shall be paid by the Treasurer as soon as possible after receipt thereof.
- (3) The committee may receive from the Association's bank or bankers for the time being the cheques drawn by the Association on any of its accounts with the bank or bankers and may release and indemnify the bank or bankers from and against all claims, actions, suits, or demands that may be brought against the bank or bankers arising directly or indirectly out of those cheques or the surrender thereof to the Association.
- (4) Except with the authority of the committee, no payment of a sum exceeding fifty dollars shall be made from the funds of the Association otherwise than by payment from the Association's bank account, but the committee may provide the Treasurer with a sum to meet urgent expenditure, subject to such conditions as the committee may impose.
- (5) No payments shall be made from the Association's bank account except for the payment of expenditure that has been authorised by the committee.
- (6) All cheques, electronic payments, drafts, bills of exchange, promissory notes, and other negotiable instruments shall be either signed or authorised by secure electronic means by any two of the President, Treasurer, Secretary and Assistant Treasurer.

## **9. Auditor**

- (1) At each annual general meeting, the members present shall appoint a person as the auditor for the current financial year.
- (2) If an appointment is not made at an annual general meeting, or if a casual vacancy occurs in that office, the committee shall appoint an auditor for the then current financial year.
- (3) The auditor may only be removed from office by special resolution.

## **10. Audit of accounts**

- (1) Once at least in each financial year, the accounts of the Association shall be examined by the auditor.
- (2) The auditor shall certify as to the correctness of the accounts of the Association and shall report thereon to the members present at the annual general meeting.
- (3) In the auditor's report, and in certifying to the accounts, the auditor shall state:
  - (a) whether the information required by the auditor has been obtained;
  - (b) whether, in their opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Association according to the information at their disposal and the explanations given to them and as shown by the books of the Association; and
  - (c) whether the rules relating to the administration of the funds of the Association have been observed.
- (4) The public officer of the Association shall cause to be delivered to the auditor a list of all the accounts, books, and records of the Association.
- (5) The auditor:
  - (a) has a right of access to the accounts, books, records, vouchers, and documents of the Association;
  - (b) may require from the servants of the Association such information and explanations as may be necessary for the performance of the duties as auditor;
  - (c) may employ persons to assist in investigating the accounts of the Association; and
  - (d) may, in relation to the accounts of the Association, examine any member of the committee or any servant of the Association.

## **C. MEETINGS**

### **11. General Meetings**

- (1) A general meeting shall be a meeting of members at which Association business is formally transacted and may be either an annual general meeting or a special general meeting.
- (2) At least 14 days before the day on which a general meeting of the Association is to be held, the public officer is to publish a notice specifying –
  - (a) the place, day and time at which the meeting is to be held; and
  - (b) the nature of the business that is to be transacted at the meeting.
- (3) A notice is published for the purposes of subrule (2) if the notice –
  - (a) is contained in an advertisement appearing in at least one newspaper circulating in Tasmania; or

- (b) appears on a website, or at an electronic address, of the Association; or
  - (c) is sent to each member of the Association at –
    - (i) the member's postal or residential address or address of business or employment; or
    - (ii) an email address that the member has nominated as the email address to which notices from the Association may be sent; or
  - (d) is given by another means, determined by the public officer, that is reasonably likely to ensure that the members of the Association will be notified of the notice.
- (4) Those entitled to attend and vote at annual and special general meetings shall be the currently financial members over the age of 18 whose names are properly recorded in the register of members of the Association.
  - (5) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these Rules to vote is present during the time when the meeting is considering that item.
  - (6) Fifteen members personally present (being members entitled under these Rules to vote thereat) constitute a quorum for the transaction of the business of a general meeting.
  - (7) If within one hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members, shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.
  - (8) The chairperson of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
  - (9) Where a meeting is adjourned for fourteen days or more, the like notice of the adjourned meeting shall be given as in the case of the original meeting.

## **12. Procedures**

- (1) The President or, in the President's absence, the Vice-President shall preside as chairperson at every general meeting of the Association.
- (2) If the President and Vice-President are both absent from a general meeting the members present shall elect one of their number to preside, as chairperson thereat.
- (3) Upon any question arising at a general meeting of the Association, a member has one vote only and all votes shall be given personally.
- (4) In the case of an equality of voting on a question, the status quo shall prevail.
- (5) A question shall be decided on a show of hands and unless before or on the declaration of the result a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, the resolution.
- (6) If a poll on any question is demanded it shall be taken either by actual division or by secret ballot as the chairperson may direct, and the result of the poll shall be entered in the minute

book of the Association and deemed to be the resolution of the meeting on that question, provided that:

- (a) a poll on the election of a chairperson, or on a question of adjournment, shall be taken forthwith, and
- (b) a poll on any other question shall be taken at such time before the close of the meeting as the chairperson may direct.

### **13. Annual General Meeting**

- (1) The Association shall, in each year, hold an annual general meeting pursuant to the provisions of rules 11 and 12.
- (2) The annual general meeting shall be held on such day (being not later than three months after the close of the financial year of the Association) as the committee may decide.
- (3) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.
- (4) The annual general meeting shall be specified as such in the notice convening it.
- (5) The ordinary business of the annual general meeting shall be:
  - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
  - (b) to receive from the committee, auditor, and servants of the Association reports upon the transactions of the Association during the last preceding financial year;
  - (c) to elect the officers and committee members of the Association;
  - (d) to appoint the auditor and decide their remuneration;
  - (e) to determine ex-gratia payments under these rules;
  - (f) to determine the annual subscription; and
  - (g) to elect a patron at its discretion.
- (6) The annual general meeting may transact special business of which notice is given in accordance with these Rules.

### **14. Special General Meetings**

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the Association, pursuant to the provisions of rules 11 and 12.
- (2) The committee shall, on the requisition in writing of not less than ten members, convene a special general meeting of the Association.
- (3) A requisition for a special general meeting shall state the objects of the meeting and shall be signed by the requisitionists and deposited at the office of the Association and may consist of several documents in the like form, each signed by one or more of the requisitionists.
- (4) If the committee does not cause a special general meeting to be held within twenty-one days from the date on which a requisition therefor is deposited at the office of the Association, the requisitionists, or any of them, may convene the meeting; but any meeting so convened shall not be held after three months from the date of the deposit of the requisition.
- (5) A special general meeting convened by requisitionists in pursuance of these Rules shall be Convened in the same manner as nearly as possible as that in which those meetings are



convened by the committee, and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring them.

#### **D. COMMITTEE OF MANAGEMENT**

##### **15. Affairs of the Association to be managed by a committee**

- (1) The affairs of the Association shall be managed by a committee of management constituted as provided in rule 16.
- (2) The committee:
  - (a) shall control and manage the business and affairs of the Association;
  - (b) may, subject to these Rules, exercise all such powers and functions as may be exercised by the Association, other than those powers and functions that are required by these Rules to be exercised by general meetings of members of the Association;
  - (c) subject to the Act and these Rules, has power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the Association;
  - (d) may make, and from time to time alter, amend, or repeal, by-laws for the conduct of the business of the Association and the carrying out of its objects and purposes; and
  - (e) shall, in the case of misconduct, or other conduct which in its opinion may be detrimental to the best interests of the Association, have power to call upon any officer, member, or registered player of the Association or of any affiliated body, to attend a meeting of the committee to reply to any relevant questions that may be put, and should the said officer, member or registered player be found guilty or fail to comply without reasonable excuse, or make misleading statements, the said officer, member or player may be expelled, disqualified, suspended, debarred or otherwise dealt with at the discretion of the committee. In the case of expulsion of a member of the Association, rule 25 shall apply.
  - (f) Minutes of proceedings of an annual general meeting are to be kept, in the minute book of the Association, by the public officer or, in the absence from the meeting of the public officer, by an officer of the Association who is nominated by the chairperson of the meeting.

##### **16. Officers and committee membership**

- (1) The officers of the Association shall be:
  - (a) a President;
  - (b) a Vice-President;
  - (c) a Treasurer;
  - (d) a Secretary, who shall be the Public Officer; and
  - (e) a Membership Officer.
- (2) The committee shall consist of:
  - (a) the officers of the Association; and
  - (b) at least six and up to ten other members,
  - (c) all of whom shall be elected at the annual general meeting of the Association in each year.
- (3) Each committee member shall, subject to these Rules, hold office until the end of the annual general meeting next after the date of election, provided that no member

may serve more than four consecutive years as an officer on the committee but is eligible for re-election as an officer after one year.

- (4) In the event of a casual vacancy occurring in the office of a committee member:
  - (a) in the case of an officer, the committee may appoint one of its members, and
  - (b) in the case of an ordinary member, the committee may appoint a member of the Association, to fill the vacancy, and the member so appointed shall hold office, subject to these Rules until the end of the annual general meeting next following the date of that appointment.
  - (c) If an office referred to in subrule 16(1) is not filled at an annual general meeting, there is taken to be a casual vacancy in the office.
  - (d) If an office of an ordinary committee member referred to in subrule 16(2)(b) is not filled at an annual general meeting, there is taken to be a casual vacancy in the office.

## **17. Election of members of committee**

- (1) Nominations of candidates for election to the committee:
  - (a) shall only be valid if the candidate is a financial member of the Association and over the age of 18 years;
  - (b) shall be made in writing signed by two financial members of the Association over the age of 18 years and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
  - (c) shall be delivered to the public officer of the Association at least ten days before the date fixed for the holding of the annual general meeting.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (4) If the number of nominations exceeds the number of vacancies to be filled a secret ballot shall be conducted at the annual general meeting as follows:
  - (a) eligible voters shall allot, in order of preference, a number to all candidates whose names appear on the ballot paper;
  - (b) the numbers then allotted shall be counted by scrutineers appointed by the chairperson of the meeting; and
  - (c) the candidate or candidates with the lower or lowest totals shall be declared elected.

## **18. Vacancy of office**

- (1) For the purpose of these Rules, the office of a committee member becomes vacant if that member:
  - (a) dies;
  - (b) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with their creditors, or makes any assignment of their estate for their benefit;
  - (c) becomes of unsound mind;
  - (d) resigns their office by writing under their hand addressed to the committee;

- (e) ceases to be resident in the State;
- (f) fails, without leave granted by the committee, to attend three consecutive meetings of the committee;
- (g) ceases to be a member of the Association;
- (h) fails to pay all arrears of subscription due by them within fourteen days after they have received a notice in writing signed by the public officer stating that they have ceased to be a financial member of the Association, or
- (i) is removed by special resolution.

**19. Meetings of the committee and of sub-committees**

- (1) The committee shall meet at least six times in a year, at such frequency, places and times as it may decide.
- (2) Special meetings of the committee may be convened by the President, or any four of its members.
- (3) Notice shall be given to members of the committee of any special meeting, specifying the general nature of the business to be transacted, and no other business shall be transacted at such a meeting.
- (4) Any six members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (5) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting, in which case it lapses.
- (6) At meetings of the committee the procedures set down in rule 12 shall apply.
- (7) Written notice of each committee meeting shall be served on each member of the committee by delivering it at a reasonable time before the meeting or by sending it by post in a prepaid letter addressed to the member's usual or last-known place of abode in time to reach him or her in due course of post before the date of the meeting.
- (8) In the event of a member of the committee applying for and being granted leave of absence from duty, the committee may appoint a temporary replacement who shall have the rights and voting power of a full member of the committee until the leave of absence of the original member has expired.

**20. Disclosure of interest in contracts etc.**

- (1) A member of the committee who is interested in any contract or arrangement made or proposed to be made with the Association shall disclose that interest at the first meeting of the committee at which the contract or arrangement is first taken into consideration, if that interest then exists, or, in any other case, at the first meeting of the committee after the acquisition of that interest.
- (2) If a member of the committee becomes interested in a contract or arrangement after it is made or entered into they shall disclose that interest at the first meeting of the committee after they become so interested.
- (3) No member of the committee shall vote as a member of the committee in respect of any contract or arrangement in which they are interested and if they do vote that vote shall not be counted.

**21. Sub-committees and executive committee**

- (1) The committee may at any time appoint a sub-committee from the committee as it may think fit and shall prescribe the powers and functions thereof.
- (2) The committee may co-opt as members of a sub-committee such persons as it thinks fit, whether or not those persons are members of the Association.
- (3) More than one-half of the appointed members of a sub-committee shall constitute a quorum at a meeting of the sub-committee.
- (4) The chairperson of each sub-committee shall be appointed by the committee and shall be responsible for calling meetings of that sub-committee.
- (5) The officers of the Association constitute an executive committee, which may issue instructions to the public officer and the servants of the Association in matters of urgency connected with the management of the affairs of the Association during the intervals between meetings of the committee, and where any such instructions are issued shall report thereon to the next meeting of the committee.

**E. GENERAL**

**22. Annual subscription**

- (1) The annual subscription payable by members shall be determined at the annual general meeting.
- (2) The annual subscription of a member is due and payable by the Friday of the third week of the first roster in which the member plays or, for non-roster-playing members, by the Friday of the third week of the first roster of the calendar year.
- (3) If a member of the Association has not paid his or her annual subscription as specified in subrule (2), the public officer may send to the member a notice in writing stating that the member's name may be removed from the register of members if the member has not, within 14 days after receiving the notice, paid all annual subscriptions due and payable by the member.
- (4) If a member of the Association has not paid his or her annual subscription within 14 days after receiving a notice under subrule (3), or within 30 days of the date specified under subrule (2), whichever is the later, the public officer may remove the name of the member from the register of members maintained under rule 5(4) and he or she is not entitled to attend, or vote at, the next annual general meeting of the Association.

**23. Financial year**

The financial year of the Association is the period beginning on the first day of October in each year and ending on the thirtieth day of September next following.

**24. Notice**

A notice may be served by or on behalf of the Association upon any member either personally or by sending it by prepaid post or electronic mail addressed to the member at their usual or last-known such address.

**25. Discipline of members**

- (1) Any member who, in the opinion of the committee has been guilty of conduct detrimental to the interests of the Association such that the committee resolves that the person be expelled from membership or otherwise disciplined, shall be served a written notice by the public officer which specifies the fact of and grounds for that decision and provides for a

right of appeal as per sub-rule (2) which, if not exercised, means that the expulsion or disciplinary action takes immediate effect and is final.

- (2) A member may exercise a right of appeal by delivering to the public officer within fourteen days from the date of service of the notice under sub-rule (1) a written requisition for the convening of a meeting solely and specifically to hear that appeal. The member shall have the option of having that appeal heard by either the executive committee or by a special general meeting. The member shall have the opportunity to be advised of and respond to the details of the grounds of and the reasons for the expulsion or disciplinary action, and the members in attendance at the meeting shall vote by secret ballot on whether or not that action shall be lifted or confirmed, and the member shall be informed in writing of that decision, which shall be final.
- (3) A person who wishes to appeal against the decision of the executive committee made according to sub-rule (2) may only do so by a motion on notice against that decision at the next annual general meeting or at a special general meeting convened specifically for that purpose and the decision of that meeting shall be final.

## **26. Seal of the Association**

- (1) The seal of the Association shall be in the form of a rubber stamp, inscribed with the name of the Association encircling the word 'Seal'.
- (2) The seal of the Association shall not be affixed to any instrument except by the authority of the committee, and the affixing thereof shall be attested by the signatures either of two members of the committee or of one member of the committee and of the public officer, and that attestation is sufficient for all purposes that the seal was affixed by authority of the committee.
- (3) The seal shall remain in the custody of the public officer.

## **27. Affiliations**

- (1) The Association will, subject to the provisions of sub-rule (2), be affiliated with a statewide and/or national body compatible with the objects and purposes of the Association. Any contingent requirements for the payment of fees, appointment of delegates, or other obligations or duties of such affiliation shall be decided by the committee, unless an annual general meeting or a special general meeting convened specifically for the purpose resolves to itself determine such matters.
- (2) A decision to disaffiliate from a body pursuant to sub-rule (1) may only be made by a special resolution adopted at an annual general meeting or a special general meeting convened specifically for the purpose, provided that:
  - (a) the notice of the meeting shall be conveyed to financial members;
  - (b) financial members and each person who was a financial member within the period of 12 months immediately preceding shall be entitled to vote on the decision; and
  - (c) the decision is supported by at least two-thirds of members present at the meeting and eligible to vote.
- (3) The Association shall have the power to accept affiliation with the Association, other Table Tennis Associations, Leagues or organisations and clubs within Southern Tasmania, provided that:
  - (a) every application for affiliation shall be made in writing having enclosed therein such affiliation fees as may be determined from time to time by the committee;
  - (b) the committee shall have power to accept or reject any applications and shall not be obliged to give any reason for any rejection;

- (c) an affiliated association shall have power in accordance with its rules to impose penalties on or suspend local clubs, officials, members or players, and to refuse transfers of players, and such penalties, suspensions, or refusal of transfers are to be notified in writing to the Association and to the club, official, member of player by the affiliated association concerned;
- (d) associations and clubs affiliated under this rule shall not have any interest or rights in the property of this Association; and
- (e) affiliated associations and clubs must verify with this Association whether any sanction must be obtained before conducting any OPEN Tournament.

## **28. Termination**

- (1) A motion to wind up the Association may only be considered at a special general meeting and shall be subject to the provisions of Sections 32 and 33 of the Associations Incorporation Act 1964. That motion shall be passed if at least three-quarters of the financial members over the age of 18 present vote in favour.
- (2) In the event of a resolution to wind up the Association, and unless the notice calling the meeting to consider the motion set forth alternative methods for disposing of the Association's property and these are separately voted on in the same way as the motion to wind up the Association, then that motion shall be a direction to the committee that that property shall be sold, that the proceeds shall be applied to the satisfying of the debts of the Association, and that the residue shall be distributed consistent with rule 4(2)(j) and shall be decided at the time of the meeting.
- (3) If the Association is wound up, each person who was, immediately before the Association is wound up, a financial member of the Association, and each person who was a financial member of the Association within the period of 12 months immediately preceding the commencement of the winding-up, is liable to contribute –
  - (a) to the assets of the Association for payment of the liabilities of the Association; and
  - (b) for the costs, charges and expenses of the winding-up; and
  - (c) for the adjustment of the rights of the contributors among themselves.
- (4) Any liability under sub-rule (3) is not to exceed twenty dollars.
- (5) Despite sub-rule (3), a former member of the Association is not liable to contribute under that sub-rule in respect of any liability of the Association incurred after he or she ceased to be a member.

## **29. Variations to the Rules**

- (1) These Rules may only be amended by special resolution approved by no less than a three quarters majority of those present and voting at a general meeting convened in accordance with rules 11 and 12.
- (2) Changes to these Rules may only be proposed by:
  - (a) a decision of the committee to that effect; or
  - (b) a motion to that effect by a member of the Association conveyed in writing to the public officer, who shall promptly refer that motion to the next scheduled general meeting of the Association; or
  - (c) a special general meeting requisitioned as per rule 14(3) for that purpose, in which case the motion to that effect will form part of the requisition.

- (3) The public officer shall ensure that any motion to change these Rules shall be displayed on the Association's notice board in prominent view for inspection by members, for at least twenty one (21) days prior to the meeting to consider that motion.
- (4) In relation to matters not covered by these Rules, the Model Rules as set down under the Associations Incorporation Act 1964 (as amended) shall apply.
- (5) In the event that any provisions in these Rules are deemed to be in conflict with the provisions of the Associations Incorporation Act 1964 (as amended), the latter shall prevail.

[As adopted at Special General Meeting, 27 June 2000, and subsequently modified by Annual General Meetings: 15 December 2006, 3 December 2008, 8 December 2010, 6 December 2013, 5 December 2014, 5 December 2018, 2 December 2020]