

CONSTITUTION

OF

TEE TREE GULLY ATHLETICS CENTRE INCORPORATED

As amended on 17th March, 1987

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Amended 21st November, 2003

CONSTITUTION INDEX

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1.00 **INTERPRETATION**

1.01 The following shall have the meaning respectively assigned to them unless there be something in the subject or context inconsistent therewith:-

“The Association” means the Tea Tree Gully Athletics Centre Incorporated.

“these Rules” means these Rules of the Association as altered or added to from time to time and any reference to any Rule by number is a reference to the Rule of that number in these Rules.

“the C.M.C.” means the Centre Management Committee for the time being of the Association as constituted under these Rules.

“member” means an ordinary member of the Association in accordance with and subject to the provisions of these Rules and subject to the provisions of Rules 7.00 8.00 10.00 and 11.00 and includes an honorary member, life member, and associate member.

“general meeting” includes both annual and special general meetings.

“month” means calendar month

“the act” means the Association Incorporation Act, 1956 (as amended).

“the State” means the State of South Australia.

“A.A.S.A.” means the Athletics Association of South Australia.

“S.A.L.A.A. means the South Australian Little Athletic Association.

1.02 In these Rules words inputting the singular number or plural number shall extend to and include the plural number and singular number respectively.

1.03 The paragraph headings shall not affect the construction of these Rules.

(end of Rule)

2.00 **NAME**

2.01 The name of the Association is the Tea Tree Gully Athletics Centre Incorporated.

(end of Rule)

3.00 OBJECTS

3.01 The objects for which the Association is established are:-

- (a) To promote athletics in all its branches by establishing and maintaining such facilities and services as are calculated to be incidental to the practice and competition of athletics.
- (b) To promote and provide facilities for athletic training and competition for persons of all ages and for that purpose to register persons participating in athletics with the S.A.L.A.A. and the A.A.S.A.
- (c) To do all such other things as the Association may consider are for benefit and in the interests of the Association and its members.
- (d) To engage in all such other activities as are incidental or conducive to the attainment of the above objects

(end of Rule)

4.00 POWERS

4.01 The Association shall have the following powers in addition to and without limitation on any powers conferred by law:-

- (a) To co-operate with any other athletic body who may be an affiliated member of the S.A.L.A.A. or A.A.S.A. or any other body which has objects similar to those of this Association.
- (b) To make such rules and regulations as are necessary for the proper conduct of the Association or for the control of the use of Association property and equipment and to regulate the conditions on which they can be used and for fixing the charges if any to be paid by any persons desiring to avail themselves of any projects of the Association.
- (c) To raise money and create funds for any purpose of the Association by subscription or otherwise and to use such funds for carrying out the said objects of the Association.
- (d) To purchase, take on lease, or in exchange, hire, or otherwise acquire and maintain any real or personal property, and any rights or privileges in relation thereto.
- (e) To construct, maintain and alter any building or works necessary or convenient for the purpose of the Association.
- (f) To sell, exchange, lease, mortgage, hire, dispose of, turn into account or otherwise deal with, all or any part of the real and personal property of the Association.
- (g) To borrow, raise or secure, the payment of money in such manner as the Association thinks fit, with power to issue debentures, grant mortgages, charges, or any other class of security upon or charging all or any of the property real or personal, (both present and future) of the Association and to redeem or pay off any existing or future security.
- (h) To invest and deal with the moneys of the Association, not immediately required for its purposes, in such manner as may from time to time be determined.
- (i) To amalgamate co-operate affiliate and enter into reciprocal arrangements with any other association having objects wholly or in part similar to those of the Association.

- (j) To appoint employ and pay officers and servants and to dismiss or suspend any officer or servant.
- (k) To do all such other things as are necessary for or incidental to the attainment of the objects of the Association.

(end of Rule)

5.00 INCOME AND PROPERTY

- 5.01 The income and property of the Association shall be applied solely to the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of pecuniary profit to the members.
- 5.02 The provision of Rule 5.01 shall not prevent the payment of remuneration in good faith to officers and servants of the Association or other persons in return for services actually rendered to the Association or the reimbursement of expenses actually incurred on behalf of the Association.

(end of Rule)

5.00A PATRON

- 5.01A A patron may be appointed each year. The patron shall have the right to attend any meeting or function of the Association.

(end of Rule)

6.00 MEMBERSHIP

- 6.01 The Association shall be comprised of such persons as have made application and are admitted as members in accordance with the provisions of these Rules.
- 6.02 There shall be the following classes of members:-
 - (a) Honorary Members.
 - (b) Life Members.
 - (c) Ordinary Members.
 - (d) Associate Members.
- 6.03 Membership is personal to the member and shall not in any manner be transferable by the member's own act or through any other person on the members behalf or by operation of law.

(end of Rule)

7.00 HONORARY MEMBERS

- 7.01 The C.M.C. or its nominee may elect as honorary members of the Association for any period or without limitations of period the following :-
- (a) Persons of distinguished position or attainment.
 - (b) Guests or visitors introduced by members.
- 7.02 Honorary Members shall :-
- (a) Enjoy all the rights and privileges of members other than the right to attend and vote at meetings of members or take part in the business of the Association.
 - (b) Not be required to pay any subscription but shall be subject to all the obligations otherwise imposed by these Rules on members; and
 - (c) Be entered in a book kept for that purpose showing the date of their nomination and length of membership.
- 7.03 The C.M.C. may at any time on its initiative and without any notice thereof to the honorary member erase of cause to be erased the member's name from the list of honorary members and immediately thereupon the member's rights and privileges as an honorary member shall absolutely cease and determine.

(end of Rule)

8.00 LIFE MEMBERS

- 8.01 Life membership may be bestowed upon any person who has rendered outstanding and valuable service to the Association. A minimum of 10 years service of the Centre or its Predecessor before Life Membership is considered.
- 8.02 Athlete Life membership may also be bestowed upon any athlete who has competed for the Association on a regular basis. A minimum total of 15 years service of the Centre or its Predecessor before Athlete Life Membership is considered.
- 8.03 Nomination for either Life Membership or Athlete Life Membership may be made by any member of the Association other than the nominee. If recommended, the nomination shall then be proposed by the C.M.C. and on approval by a two-thirds majority of members attending the next general meeting of the Association, the nominee shall be deemed a Life Member.
- 8.04 Life Members or Athlete Life Members shall not be subject to the provisions of these Rules relating to the payment of subscriptions and the consequence of non-payment, but in all other respects the rights, privileges and obligations of Life Members or Athlete Life Members pursuant to these Rules shall be those of ordinary members.

(end of Rule)

9.00 ORDINARY MEMBERS

- 9.01 The ordinary membership of the Association shall be comprised of such persons as are admitted as ordinary members.
- 9.02 The Association shall admit as an ordinary member :-
- (a) Any person being a bona fide athlete.
 - (b) Parent of little athlete or any other person prepared to abide by the rules of the Association and the rules and directions of the International Athletics Federation.
- 9.03 The “C.M.C.” may refuse to admit a person who qualifies under the provisions of Rule 9.02 to the ordinary membership of the Association if it considers that such admission would be prejudicial to the interests or would impair attainment of the objects of the Association PROVIDED THAT :-
- (a) the “C.M.C.” shall bring to the notice of the next GENERAL meeting of the Association any decision to refuse a person membership of the Association pursuant to this Rule: and
 - (b) any such decision may be reversed by resolution of the Association passed at a general meeting.

(end of Rule)

10.00 ASSOCIATE MEMBERS

- 10.01 The Associate membership of the Association shall be comprised of such persons as the “C.M.C.” considers desirable in the interest of the Association to admit associate members.
- 10.02 Associate members shall not be entitled to attend or vote at meetings of members, or take part in the business of the Association: but in all other respects the rights , privileges and obligations of associate members pursuant to these Rules shall be those of ordinary members

(end of Rule)

11.00 APPLICATION FOR MEMBERSHIP AND ADMISSION

- 11.01 Any person desiring to become a member of the Association (other than an honorary member) shall sign an application. All applications shall be completed on the appropriate membership application Form as compiled by C.M.C.
- 11.02 An application for membership shall be delivered to the Secretary of the Association or the Secretaries nominee.

(end of Rule)

12.00 SUBSCRIPTIONS

- 12.01 An annual subscription shall be payable by ordinary and associate members and shall be such sums as may from time to time be determined by the Association in general meeting.
- 12.02 The annual subscription shall be payable in advance on or before the 1st day of October.

(end of Rule)

13.00 RESIGNATION FROM MEMBERSHIP

- 13.01 A member may resign from the Association at any time by giving notice in writing to the Secretary of their intention to do so.
- 13.02 A member who resigns shall nevertheless remain liable for any subscriptions that have become due prior to their resignation by are unpaid.

(end of Rule)

14.00 EXPULSION FROM MEMBERSHIP AND APPEAL

- 14.01 The C.M.C. may expel any member of the Association :-
- (a) Whose subscription is in arrears for more than two (2) years after it became due and payable;
 - (b) Who commits a breach of these Rules by Laws or regulations made thereunder or any direction or regulation of a general meeting f the Association; or
 - (c) Who, in the opinion of the C.M.C. is guilty of any conduct prejudicial to the interest or calculated to impair the attainment of the objects of the Association.
- 14.02 The Secretary shall forthwith send notice of any decision by the C.M.C. under Rule 15.01 to the member concerned at their address appearing in the Register of Members.
- 14.03 Any member of the Association aggrieved by a decision of the C.M.C. under Rule 14.01 may appeal against the decision to a general meeting of the Association by giving notice in writing to the Secretary stating their grounds of appeal within one month of being notified of the decision.
- 14.04 An appeal by a member under Rule 14.03 shall be heard at the annual general meeting next following the date upon which the Secretary is given notice thereof.
- 14.05 A member lodging a notice of appeal may in such notice require that a special general meeting be convened to deal with the matter provided that:-
- (a) the notice is signed by not less than ten (10) members.

- 14.06 Until the hearing of a member's appeal the decision of the C.M.C. shall have full force and effect.

(end of Rule)

15.00 GENERAL MEETINGS

- 15.01 An annual general meeting of the Association shall be held in each year on a day to be determined from year to year by the C.M.C.
- 15.02 All general meetings other than the annual general meeting shall be called Special General Meetings and shall be convened by the Secretary:-
- (a) At the request of the President or any two (2) members of the C.M.C.;
 - (b) On written requisition by not less than ten (10) members stating the objects for which the meeting is desired.

Such a meeting shall be convened not less than twenty eight (28) days nor more than forty two (42) after receipt by the Secretary of such request and if the case of a requisition by members the meeting is not convened within the time specified above the requisitionists may be resolution appoint one of their member to convene such a meeting.

- 15.03 Twenty eight (28) days' notice in writing of every general meeting shall be given to every member at their address appearing in the Register of Members stating the time of the meeting and the nature of the business to be transacted. No business other than that set out in the notice convening the meeting shall be transacted at any special general meeting.
- 15.04 Any member desiring to bring forward any business may give notice thereof in writing to the Secretary who shall include same in the notice calling the next general meeting to be called after the receipt of such notice from a member.

(end of Rule)

16.00 PROCEEDINGS AT GENERAL MEETINGS

- 16.01 No business shall be transacted at any General Meeting unless a quorum of members is present at the time when the meeting proceeds to business. Save as herein otherwise provided twenty (20) ordinary members present in person or by proxy shall be a quorum.
- 16.02 If within 30 minutes from the time appointed for the meeting a quorum is not present it shall stand adjourned to the same day in the next week at the same time and place (or if impracticable to such other place as the "C.M.C." shall determine) and if at the adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present shall form a quorum.

- 16.03 The President of the “C.M.C.” shall preside as chairman at every General Meeting but if unwilling to act the members present shall elect one of their number to be Chairman of the meeting.
- 16.04 The Chairman may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting from time to time and from place to place. When a meeting is adjourned for thirty days or more notice of the adjourned meeting shall be given as in the case of an original meeting but otherwise it shall not be necessary to give any notice of an adjournment or of the business to be transacted at any adjourned meeting.
- 16.05 Subject to any specific provision in these Rules to the contrary resolutions of a General Meeting must be carried by a majority of votes and in the case of an equality of votes the Chairman of the meeting (who shall otherwise not be entitled to vote) shall in such an event be entitled to a casting vote.
- 16.06 Each Ordinary Member shall be entitled to one vote at every General Meeting and may vote either in person or by appointing any other member by proxy which shall be deposited with the Secretary before the time appointed for the meeting in respect of which the proxy is appointed.
- 16.07 At any General Meeting a resolution put to the vote of the meeting shall be decided by a show of hands and a declaration by the Chairman that a resolution has been carried or lost to that effect in the Minutes Book of the proceedings of the Association shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution; provided that the Chairman of the meeting or any three members present in person may call for a division which shall thereupon be taken without further debate.
- 16.08 No member shall be entitled to vote at any General Meeting unless all subscriptions or other sums presently payable by them to the Association have been paid.
- 16.09 The following shall be the order of business at every annual general meeting;-
- (a) Confirmation of the Minutes of the Last Annual General Meeting and of any Special General Meeting held since the preceding annual General Meeting
 - (b) Receipt of the annual Balance Sheet, Profit and Loss and accompanying accounts reports of the Council and the Auditor in relation to these and the adoption of same or otherwise.
 - (c) Receipt of the reports of the “C.M.C.” and other committees.
 - (d) The election of members of the “C.M.C.”, other committees and an Auditor.
 - (e) The election of delegates to other bodies.
 - (f) Any Special business of which notice has been given or which is brought forward by the “C.M.C.”
 - (g) General Business.

But this order of business may be suspended by the Chairman if there is a resolution of the meeting to that effect.

(end of Rule)

17.00 CENTRE MANAGEMENT COMMITTEE

17.01 The Association shall have a governing Centre Management Committee comprised of the following members:-

- (a) President
- (b) Vice President (S.A.L.A.A.)
- (c) Vice President (A.A.S.A.)
- (d) Secretary
- (e) Treasurer
- (f) Fund Raising Officer
- (g) Publicity and Promotions Officer
- (h) Grounds and Equipment Officer
- (i) Clubroom Management Officer
- (j) Of those elected to the C.M.C. a minimum of two shall have been nominated as Little Athletics representatives and a minimum of two shall have been nominated as Senior Athletic representatives

17.02 The following shall apply in relation to the term of office of members of C.M.C.

- (a) President, Secretary and Treasurer shall hold office for two years with President and Treasurer to be in the same year, with the Secretary in the alternate year.
All other members shall hold office for one year
- (b) A retiring member of the committee shall be eligible for re-election or for election to another office.

17.03 At every Annual General Meeting elections shall be held for those positions on the C.M.C. vacated by retiring members. The following shall apply in relation to such elections:-

- (a) The Secretary shall include with the notice of the A.G.M. a notice listing those positions on the C.M.C. that are due to fall vacant and calling for nominations to fill the vacancy or vacancies.
- (b) No member shall be elected to office unless that member shall have been nominated by a member and such nomination shall have been seconded by another member and the nominated member shall have agreed to accept such nomination in accordance with this Rule. A member may not be elected to more than one office on the C.M.C. at the same election.
- (c) All nominations for the positions on the C.M.C. may be received
 - i) By the Secretary, in writing at least seven days prior to the A.G.M.
 - Or
 - ii) Nominations to be taken from the floor.
- (d) Upon receipt of each nomination the Secretary shall forthwith cause the same or particulars thereof to be displayed in a prominent position in the Clubrooms of the Association.
- (e) In case no more than the required number of candidates are nominated for any position on the C.M.C. those so nominated shall be declared elected.

- (f) In the event of a Secret Ballot being required the Chairman shall appoint two members, not being candidates for that position, to be scrutineers.
- 17.04 Any casual vacancy occurring in the C.M.C. may be filled by the C.M.C. but any person chosen shall hold office until the expiration of the term of the original appointee.
- 17.05 The association in general meeting may by resolution remove any member of the C.M.C. before the expiration of their period of office and appoint another person in their stead. Any person appointed pursuant to this Rule shall, for all purposes, be treated as if they were appointed to casual vacancy.
- 17.06 The office of a member of the C.M.C. shall be vacated if the person filling it:-
- (a) Ceases to be a member of the Association.
 - (b) Holds any office of profit in the Association.
 - (c) Becomes bankrupt or assigns his estate in pursuant to any Act relating to bankruptcy or insolvency at this times being in force in the State.
- 17.07 The members of the C.M.C. may act notwithstanding a vacancy in their body but if and so long as their number is reduced below the number necessary to constitute a quorum of the C.M.C. the continuing members may act for the purpose of increasing the number of members of the C.M.C. or of summoning a general meeting of the Association but for no other purpose.
- 17.08 The quorum to be greater than or equal to two thirds of positions filled.
- 17.09 The C.M.C. shall hold meetings at least once every 3 months and minutes of all resolutions and proceedings of the C.M.C. shall be entered in a book to be kept for that purpose.
- 17.10 At every Annual General Meeting, elections shall be held for positions on two sub-committees vacated by retiring members. The Sub-committees shall be known as "Tea Tree Gully Little Athletics Centre Committee" and "Tea Tree Gully Senior Athletics committee" and each shall hold affiliation with their respective peak bodies (SALAA & AASA). The Sub –Committees shall comprise the following members :-

"Tea Tree Gully Little Athletics Centre Committee":-

- (a) President (Vice President of C.M.C.)
- (b) Secretary
- (c) Registrar
- (d) Competitions Officer / Team Manager
- (e) Chief Recorder
- (f) Officials Officer / Coaching and Education
- (g) Social secretary
- (h) Publicity and Promotions Representative
- (i) Up to 4 additional committee members

"Tea Tree Gully Senior Athletics committee":-

- (j) President (Vice President of C.M.C.)
- (k) Secretary
- (l) Registrar

- (m) Recorder
- (n) Team Manager
- (o) Social Secretary
- (p) Publicity and Promotions Representative
- (q) The Senior sub-committee has the power to co-opt an athlete and or coaches representative to their committee
- (r) Up to two additional committee members

Each of the sub-committees shall be self-managing within the confines of the constitution and their budget

- 17.11 No person on the C.M.C. or any sub-committee shall have more than one vote.
- 17.12 Any member of the committees may vote either in person or by appointing another member as proxy in accordance with Rule 16.06
- 17.13 The Sub-Committees shall have the power to remove from their appointed position any member of the sub-committee who fails to attend 3 consecutive meetings without acceptable reason.

(end of Rule)

18.00 POWERS AND DUTIES OF THE CENTRE MANAGEMENT COMMITTEE

- 18.01 The business and affairs of the Association shall be conducted by the C.M.C.
- 18.02 The C.M.C. may exercise all powers of the Association as are not by these Rules required to be exercised by the Association in General Meeting, subject however to these Rules and to such directions and regulations not inconsistent with those Rules as may be prescribed by the Association in General Meeting but no direction or regulation made by the Association in General Meeting shall invalidate any prior act of the C.M.C. which would have been valid if such direction or regulation had not been made.
- 18.03 Without prejudice to the powers herein elsewhere conferred the C.M.C. shall have power to do any of the following things :-
 - (a) To appoint any other officials or servants of the Association as may be necessary to properly conduct its business and affairs and to remove them as the occasion may require in its discretion.
 - (b) To delegate (subject to such conditions as it thinks fit) any of its power to sub committees consisting of such members of the Council and other members of the Association co-opted for that purpose as it may determine and to make such regulations as to proceedings of such sub-committees as may be thought desirable.
 - (c) Subject to these Rules to regulate and control its own meetings and the transaction of business thereat.
 - (d) In accordance with the provisions of these rules to expel members.

- (e) Subject to these Rules to draw, make, accept, endorse and issue negotiable securities or instruments, of whatsoever kind or nature, and to determine by what officers of the Association such negotiable securities or instruments shall be signed or endorsed.
- (f) To take and defend all legal proceedings by or on behalf of the Association and to appoint all necessary Attorneys for any such purpose.
- (g) To borrow, raise or secure the payment of money and to sell and dispose of the assets of the Association.
- (h) In accordance with these Rules, to adopt a seal for the Association, and to have the custody thereof and to affix the same to any deed instrument or document.
- (i) To do and perform any other acts, matters and things in connection with or relative to the management of the Association as shall not by these Rules be required to be done by the association in General Meeting.
- (j) To fill any casual vacancy occurring in any elected office of the Association.
- (k) To remove from their elected position any member of the C.M.C. who fails to attend three consecutive C.M.C. meetings without acceptable reason.

(end of Rule)

19.00 PRESIDENT

19.01 The President shall chair all C.M.C. meetings and undertake all other duties as required. The Chairman has no voting rights, excepting that of a casting vote when necessary. The President shall be ex-officio member of all sub-committees.

20.00 SECRETARY

20.01 The duties of the Secretary of the Association shall be as follows:-

- (a) To keep full and correct minutes of all resolutions and proceedings of every general meeting provided for that purpose together with a record of the names of members present at all such meetings.
- (b) To keep a Register of Members setting forth their names and address and the dates of payment of subscriptions, and issue membership cards.
- (c) To attend to all correspondence.
- (d) To perform such other duties as the Council may prescribe.

(end of Rule)

21.00 TREASURER

21.01 The duties of the Treasurer of the Association shall be as follows :-

- (a) To collect and receive all moneys due to the association and make all payments authorised by the C.M.C.
- (b) To keep correct accounts and books showing the financial affairs of the Association with full details of receipts and disbursements and other and other particulars usually shown in books of accounts of a like nature and send periodical financial reports to the C.M.C. together with all bank books and statements.
- (c) To submit for audit the books of account to the Auditor of the Association not less than fourteen (14) days before the Annual General Meeting.
- (d) To perform such other like duties as the C.M.C. may prescribe.

(end of Rule)

22.00 PUBLIC OFFICER

22.01 The Association shall have a Public Officer in accordance with the requirement of the Act.

22.02 The C.M.C. is vested with the power of appointment and removal from time to time of the Public Officer as it shall deem fit provided that :-

- (a) The Public Officer shall be a member of the C.M.C and
- (b) The requirements of the Act in relation to Public Officers shall be complied with.

(end of Rule)

23.00 ACCOUNTS

23.01 The financial year of the Association shall end on the 31st March in each year.

23.02 The C.M.C. shall cause to be prepared audited and printed every year a Profit and Loss Statement, Balance sheet and other accompanying accounts. The said Balance Sheet shall be prepared as at and the other accounts shall cover the year ending on the said 31st March in each year.

23.03 The aforesaid financial statements shall be submitted to the Association at the Annual General Meeting immediately following. A copy of the financial statement shall be distributed to every member before the A.G.M.

(end of Rule)

24.00 AUDITORS

- 24.01 An Auditor for the Association shall be appointed at the Annual General Meeting in each year and such Auditor:-
- (a) Shall be an accountant engaged in public practice
 - (b) Shall not be a member of the C.M.C., and
 - (c) Shall hold office until the next Annual General Meeting.
- 24.02 The Auditor shall in each year examine the accounts of the Association and shall certify the correctness thereof.
- 24.03 The Auditor shall make a report to the members upon the accounts to be submitted to every Annual General Meeting and in every such report shall state whether in their opinion they are properly drawn up so as to exhibit a true and correct view of the Association's financial affairs.

(end of Rule)

25.00 COMMON SEAL

- 25.01 The Association shall have a Common Seal, the safe custody of which shall be provided for by the C.M.C.
- 25.02 The seal shall be used only by the authority of the C.M.C. and every instrument to which the Seal is affixed shall be signed by members of the C.M.C.

(end of Rule)

26.00 ALTERATIONS OF RULES

- 26.01 No object, power or rule of the Association shall be replaced and no new object, power or rule shall be made except upon a resolution carried by a majority of three quarters of the members present (either personally or by proxy) and voting at a General Meeting the notice of which shall have set out in full the proposed repeal or amendment or new provision.
- 26.02 Any amendment as aforesaid shall be subject to any approval or requirement as to registration contained in the Act.

(end of Rule)

27.00 DISSOLUTION AND DISPOSITION OF ASSETS

- 27.01 The Association may be dissolved or wound up only upon the resolution carried by a majority of three quarters of the members present (either personally or by proxy) and voting at a General Meeting called for such purpose.
- 27.02 If upon dissolution or winding up of the Association, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to, or distributed among the members of the Association, but shall be given or transferred to some other Association or Institution having objects similar or wholly or in part to the objects of the Association, and which shall prohibit the distribution of its or there income and property among its of their members or to some charitable object or objects which club constitution or object shall be determined by the members of the Association at or before the time of dissolution or winding up or in default thereof in and so far as effect cannot be given to such determination then such payment or distribution shall be determined by a Judge of the Supreme Court of the State.

(end of Rule)

28.00 INDEMNITY

- 28.01 Every member of the C.M.C. and other officers of the Association shall be indemnified by the Association against, and it shall be the duty of the C.M.C. to pay all costs, losses and expenses which any such Officer or servant may incur or become liable to by reason of any contract entered into or act or thing done by them as such Officer or Servant in or in any way in the discharge of their duties.
- 28.02 No member of the C.M.C. or other officer of the Association shall be liable for the acts, receipts, neglects or defaults of any other member of the C.M.C. or officer or any loss or expense happening to the Association through the insufficiency of title to any property acquired by order of the C.M.C. for or on behalf of the Association shall be invested or for any loss or damage arising from the bankruptcy, insolvency or tortious act of any person with whom any moneys, securities or effects shall be deposited or for any loss occasioned by any error of judgement or oversight on their part or for any other loss damage or misfortune whatsoever which shall happen in the execution of the duties of their office or in relation thereto unless the same shall happen through their own dishonesty.

(end of Rule)

29.00 NOTICES

- 29.01 Without prejudice to any other mode of service effectual at law, any notice required to be given under Rules may be given by delivering to the person on whom it is to be served or by leaving it at their usual place of abode or by sending it by prepaid post to their address appearing in the Register of Members. Where a notice is sent by post it shall be deemed to have been given forty eight hours after posting.

(end of Rule)