

Brisbane Buccaneers Ice Hockey Club
Incorporated Rules





Table of Contents

1	Interpretation -----	1
2	Name -----	2
3	Objectives -----	2
4	Powers -----	3
5	Application of Income -----	3
6	Liability and Contribution of Members -----	4
7	Classes of Members -----	4
8	New Membership -----	6
9	Membership Fees -----	7
10	Admission and Rejection of New Members -----	7
11	When Membership Ends -----	8
12	Appeal Against Decision to Reject or Terminate Membership -----	8
13	Register of Members -----	9
14	Prohibition on Use of Information on Register of Members -----	10
15	Membership of Management Committee -----	10
16	Electing the Management Committee -----	11
17	Resignation, Removal or Vacation of Office of Management Committee Member -----	12
18	Vacancies on Management Committee -----	13
19	Functions of Management Committee -----	14
20	Meetings of Management Committee -----	15
21	Quorum and Adjournment of Management Committee Meeting -----	16
22	Special Meeting of Management Committee -----	16
23	Minutes of Management Committee Meetings -----	17
24	Appointment and Removal of Secretary -----	17
25	Functions of Secretary -----	17



26	Appointment of Subcommittees -----	18
27	Acts not affected by Defects or Disqualifications -----	19
28	Resolutions of Management Committee without Meeting -----	19
29	First Annual General Meeting -----	19
30	Subsequent Annual General Meetings-----	19
31	Business to be conducted at Annual General Meeting -----	19
32	Notice of General Meeting -----	20
33	Quorum and Adjournment of General Meeting -----	21
34	Procedure at General Meeting-----	21
35	Voting at General Meeting -----	22
36	Special General Meeting -----	22
37	Proxies-----	23
38	Minutes of General Meetings-----	24
39	By-laws -----	24
40	Alteration of Rules-----	25
41	Common Seal -----	25
42	Funds and Accounts -----	25
43	General Financial Matters-----	26
44	Documents -----	27
45	Notices-----	27
46	Financial Year -----	27
47	Indemnity for Management Committee-----	27
48	Distribution of Property on Winding Up-----	28
49	Major Asset-----	28
50	Club Colours-----	28
51	Club Crest -----	29



Brisbane Buccaneers Ice Hockey Club Inc. Rules

1 Interpretation

In these rules:

Term	Definition
Act	means the <i>Associations Incorporation Act 1981 (Qld)</i> .
association	has the meaning set out in rule 2.
candidate	has the meaning set out in subrule 16.1(a).
casual vacancy	means a vacancy that happens when a member of the management committee resigns, dies or otherwise stops holding office.
chief executive	means the chief executive of the relevant government body which administers the Act from time to time.
ineligible relationship	means relationships which extends beyond professional relations, based on factors irrelevant to the working competencies of a member. Ineligible relationships include: <ol style="list-style-type: none">family relationships (siblings, parent/child, husband/wife, de facto spouses, partner, cousins, relations by marriage such as brother- or sister-in-law);financial relationships (commercial relationships where pecuniary interest is present); orany other type of relationship deemed inappropriate by the management committee.
membership fee	means the prescribed fee, determined by the management committee, which must be paid by a member to hold a membership of the association.
minor	means a natural person under eighteen years of age.
present	has the meaning set out in subrule 20.5 for management committee meetings and the meaning set out in subrule 34.2 for general meetings.
rehabilitation period	has the meaning given in the <i>Criminal Law (Rehabilitation of Offenders) Act 1986 (Qld)</i> .

A word or expression that is not defined in these 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 Brisbane Buccaneers Ice Hockey Club Inc. (**association**).

3 Objectives

The objectives of the association are to:

- 3.1 conduct, encourage, promote and advance the development of ice hockey (in all its forms) for the mutual and collective benefit of its members;
- 3.2 act in good faith and loyalty to ensure the maintenance and enhancement of the association and ice hockey for the mutual and collective benefit of the members;
- 3.3 operate with, and promote, mutual trust and confidence between the association and its members;
- 3.4 act on behalf of, and in the interests of, the members and ice hockey;
- 3.5 promote and support the development of all playing members on a fair and equitable basis, be they younger or more senior players, across all ages, and abilities, from beginners to elite;
- 3.6 make, or ensure its members make, through Ice Hockey Queensland, contribution to any insurance fund, for the benefit of playing members;
- 3.7 promote, and to encourage players, parents, coaches, managers, referees and administrators to adopt and comply with the codes of behavioural conduct as promoted or published by or on behalf of the association or any association with which the association is affiliated;
- 3.8 facilitate, conduct and promote intra-club, inter-club, interstate and overseas ice hockey matches, leagues and tours;
- 3.9 cooperate as a free and independent entity with those ice hockey organisations which the management committee declares are appropriate, including but not limited to Ice Hockey Australia, Ice Hockey Queensland and any Australian ice hockey club, in advancing ice hockey in Brisbane, and to that end, affiliate itself to those entities and or other entities with similar objectives to the association.
- 3.10 promote the qualities of sportsmanship, leadership, consideration of others, responsibility, cooperation, self-discipline, self-confidence, initiative, courage, loyalty, self-expression, positive attitudes, emotional control, social adjustment and development of character in association members;
- 3.11 seek or receive donations, gifts and legacies (whether subject to any special trusts or not) to apply to these objectives; and



- 3.12 promote the objectives of the association in any manner the management committee considers appropriate, and to do things incidental or conducive to the attainment of these objectives.

4 Powers

- 4.1 The association has the powers of an individual.
- 4.2 The association may, for example:
- a) enter into contracts;
 - b) borrow money, with or without security;
 - c) sell, mortgage, improve, let, manage or turn to account all or any of the property of the association;
 - d) invest the association's funds:
 - i. in any way authorised by laws, in the State of Queensland, regulating the investment of trust funds; or
 - ii. in any way expressly authorised by the management committee from time to time;
 - e) acquire, hold, deal with and dispose of property;
 - f) to enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objectives and the exercise of the powers of the association;
 - g) employ persons as may be deemed necessary for or in connection with any constitutional purpose or objectives of the association;
 - h) make charges for services and facilities it supplies; and
 - i) do other things necessary or convenient to be done in carrying out its affairs.
- 4.3 The association may also issue secured and unsecured notes, debentures and debenture stock for the association.

5 Application of Income

- 5.1 The income and property of the association shall be applied solely towards the promotion of the objectives.
- 5.2 Except as prescribed in these rules:
- a) no portion of the income or property of the association shall be paid or transferred, directly or indirectly by way of dividend, bonus or otherwise to any member; and



- b) no remuneration or other benefit in money or money's worth shall be paid or given by the association to any member who holds office of the association.
- 5.3 Nothing in subrules 5.1 or 5.2 shall prevent payment in good faith of or to any member for any services actually rendered to the association whether as an employee or otherwise:
- a) Goods supplied to the association in the ordinary and usual course of operation;
 - b) Interest on money borrowed from any member;
 - c) Rent for premises demised or let by any member to the association; reimbursement of any out-of-pocket expenses incurred by the member on behalf of the association; or
 - d) any other reason the management committee decides to allow subrule 5.1 to be fulfilled.
- 5.4 Nothing in subrules 5.1-5.3 shall prevent the association from providing discounts on the goods and services offered by the association to its members pursuant to approved policies (such as the Volunteer Recognition Program).

6 Liability and Contribution of Members

- 6.1 The liability of the members of the association is limited.
- 6.2 Every member of the association undertakes to contribute to the assets of the association in the event of it being wound up while a member, or within 1 year after ceasing to be a member, for payment of the debts and liabilities of the association contracted before the time at which he or she ceases to be a member, and the costs, charges and expenses of winding up and for an adjustment of the rights of contributors among themselves, such amount as may be required not exceeding \$1.00.

7 Classes of Members

There shall be four classes of membership, each of which shall be unlimited in numbers.

7.1 Playing Member

- a) Any person who registers as a player with the association in any one year and pays the prescribed membership fee shall hold a playing membership.
- b) Playing members may:



- (i) attend general meetings of the association; and
 - (ii) with leave of the Chairperson of the general meeting, speak at any general meetings of the association.
- c) Playing members older than eighteen years of age may vote on any matter at any general meetings of the association.
- d) Subject to subrule 7.2, playing members younger than eighteen years of age are not conferred a right to vote on any matter at any general meeting of the association.
- e) The playing membership will remain in force from the date the membership is accepted by the management committee, in accordance with rule 10, until the last day of February in the succeeding year, or an earlier date if membership is terminated in accordance with rule 11.

7.2 Parent Member

- a) Any playing member who is younger than eighteen years of age, must nominate one parent or guardian annually as the parent member.
- b) A parent member must be older than eighteen years and must be a legal guardian of the playing member.
- c) In the event two or more minor playing members are siblings, each playing member must nominate one parent member and that parent member is entitled to one vote for each minor playing member on any matter at any general meeting of the association.
- d) The nominated parent member will not be entitled to a vote, separate from the minor playing member vote, unless that person is also a playing member.
- e) Parent members may:
 - (i) attend general meetings of the association; and
 - (ii) with the leave of the Chairperson of the general meeting, speak at any general meeting of the association.
- f) The parent membership will remain in force from the date of the membership is accepted by the management committee, in accordance with Rule 10, until the last day of February in the succeeding year, or an earlier date if membership is terminated in accordance with Rule 11.

7.3 Supporter Member

- a) Any person who registers as a supporter with the association in any one year and pays the prescribed membership fee shall hold a supporter membership.
- b) Supporter members may:



- (i) attend general meetings of the association; and
 - (ii) with leave of the Chairperson of the general meeting, speak at any general meetings of the association.
- c) Supporter members may, provided they are older than eighteen years of age, vote on any matter at any general meetings of the association.
- d) The supporter membership will remain in force from the date the membership is accepted by the management committee, in accordance with rule 10, until last day of February in the succeeding year, or an earlier date if membership is terminated in accordance with rule 11.

7.4 Life Member

- a) The management committee of the association, by majority vote of members attending a properly constituted meeting of the management committee, may nominate to the annual general meeting the name of any playing member, parent member or supporter member of the association for recognition of services to the association by appointment as a life member of the association. The Chairperson of the management committee may refer an intended nomination to a committee of appointed life members of the association, selected by the management committee, for consideration and recommendation on whether the nomination should be approved and submitted by the management committee to the annual general meeting of the association.
- b) The management committee may approve nominations for appointment as a life member of the association, annually, to be presented to the Annual general meeting of the association. Appointment will be by majority vote on the motion received from the management committee.
- c) The names of life members appointed by the voting members of the association shall be recorded in a register kept for this purpose by the Secretary of the association. Life members of the associations shall not be required to pay annual membership fees.

8 New Membership

An application for membership must be:

- 8.1 in writing;
- 8.2 in the form decided by the management committee, including but not limited to a web based or online form;
- 8.3 agree to be bound by the association's rules, policies, procedures and payment of all applicable fees; and



8.4 subject to the management committee's decision in accordance with rule 10.

9 Membership Fees

9.1 The membership fees for each class of membership:

- a) is the amount decided by the management committee for the prescribed class of membership from time to time at a management committee meeting and communicated to members; and
- b) is payable when, and in the manner, the management committee decides.

9.2 If, by 31 March each calendar year any member has not:

- a) paid their membership fees; or
- b) entered into an arrangement with the Treasurer to pay their membership fees,

subject to the decision of the management committee in their sole discretion, the member may not participate in any events of the association (including the playing of ice hockey games) until such time as the member has complied with subrule 9.1.

9.3 Any person who has not paid their membership fees in accordance with this rule 9 is not a member of the association and is not entitled to vote at any meetings of the association, until that person has paid their membership fees.

9.4 Members acknowledge that all Playing Members are also required to pay additional season/game/training fees, as and when due and these season/game/training fees are not incorporated into the membership fees.

10 Admission and Rejection of New Members

10.1 The management committee must consider an application for membership at the next committee meeting held after it receives the:

- a) application for membership; and
- b) appropriate membership fee for the application, as described in rule 9.

10.2 The management committee must decide at the meeting whether to accept or reject the application.

10.3 If a majority of the members of the management committee present at the meeting vote to accept the applicant as a member, subject to any other requirements of these rules, the applicant must be accepted as a member for the class of membership applied for.



- 10.4 The Registrar of the association must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision.

11 When Membership Ends

- 11.1 Any member may resign from the association by giving a written notice of resignation to the Registrar.
- 11.2 The resignation takes effect at:
- a) the time the notice is received by the Registrar; or
 - b) a later time - if a later time is stated in the notice.
- 11.3 The management committee may terminate a 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 30 days and does not have an approved payment plan in accordance with subrule 9.2(b); or
 - d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association; or
 - e) conducts himself or herself so as to seriously contravene the written, and publically available, competition rules (as amended from time to time) of the association and/or any affiliate entity approved in accordance with subrule 3.9; or
 - f) conducts himself or herself so as to seriously contravene the association's code of conduct (as amended from time to time).
- 11.4 Before the management committee terminates a membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- 11.5 If, after considering all representations made by the member, the management committee decides to terminate the membership, the Secretary of the committee must give the member a written notice of the decision.

12 Appeal Against Decision to Reject or Terminate Membership

- 12.1 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.

- 12.2 A notice of intention to appeal must be given to the Secretary within fourteen (14) days after the person receives written notice of the decision.
- 12.3 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.
- 12.4 The special general meeting to decide an appeal must be held within three (3) months after the Secretary receives the notice of intention to appeal.
- 12.5 At the special general 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.
- 12.6 Also, the management committee and the members of the committee 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.
- 12.7 An appeal must be decided by a majority vote of the members present and eligible to vote at the special general meeting.
- 12.8 If a person whose application for membership has been rejected does not appeal against the decision within one 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 pro-rated balance of the annual membership fee paid by the person.

13 Register of Members

- 13.1 The management committee must keep a register of members of the association. It is the Registrar's primary function to maintain the register of members of the association.
- 13.2 The register must include the following particulars for each member:
 - a) the full name of the member;
 - b) the class of the member;
 - c) the postal or residential address of the member;
 - d) the email address of the member;
 - e) the date of admission as a member;
 - f) the date of death or time of resignation of the member;
 - g) details about the termination or reinstatement of membership;



- h) any other particulars the management committee or the members at a general meeting decide.
- 13.3 The register must be open for inspection by members of the association at all reasonable times.
- 13.4 A member must contact the Registrar to arrange an inspection of the register.
- 13.5 However, the management committee may, on the application of a member of the association, withhold information about the member where required by law or withhold information about the member (other than the member's full name) from the register available for inspection if the management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

14 Prohibition on Use of Information on Register of Members

A member of the association must not:

- 14.1 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 outside of the business of the association; or
- 14.2 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 purpose.

Subrules 14.1 and 14.2 do not apply if the use or disclosure of the information is approved by the management committee in writing.

15 Membership of Management Committee

- 15.1 The management committee of the association consists of a:
 - a) President;
 - b) Vice President
 - c) Treasurer;
 - d) Registrar; and
 - e) Secretary.



- 15.2 Each position on the management committee must be held by a separate person and each member must comply with subrule 16.2 at all times.
- 15.3 Subject to the provisions of these rules relating to retirement or removal of management committee members, each management committee member shall hold office for a two year period until the Annual General Meeting at the completion of their term, and is eligible, on nomination, for re-election in accordance with subrule 15.4.
- 15.4 The Management Committee shall ensure that:
- a) at an Annual General Meeting the President, Registrar and Secretary shall be vacated and elected/appointed at the relevant Annual General Meeting for a period of two (2) years; and
 - b) At the next subsequent Annual General Meeting the Vice President and Treasurer shall be vacated and elected at the relevant Annual General Meeting for a period of two (2) years.
- 15.5 A member of the association can only hold a Management Committee position for two terms (ie. 2 x 2 year terms = 4 consecutive years). For the avoidance of doubt, this limitation is restricted to the position and not the individual member of the association – in that a member can hold different positions for numerous terms.
- 15.6 A member of the association may be appointed to a casual vacancy on the management committee under rule 18 but will hold office only until the next annual general meeting of the association and then must retire but is eligible, on nomination, for re-election.

16 Electing the Management Committee

- 16.1 Subject to the appointment of casual vacancies, a member of the management committee may only be elected as follows:
- a) any two members who are eligible to vote, may nominate another playing member, parent member, supporter member or life member, who are eligible to vote and complies with subrule 16.2, (**candidate**) to serve as a member of the management committee;
 - b) the nomination must be:
 - i. in writing; and
 - ii. signed by the candidate and the members who nominated the candidate; 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 one candidate for each vacant position on the management committee;

16.2 A person may be a candidate only if the person:

- a) is an adult;
- b) is a fully paid-up playing member, parent member, supporter member or life member for a period of not less than 6 months;
- c) is not ineligible to be elected as a member under section 61A of the Act;
- d) does not hold an ineligible relationship with any other member of the management committee; and
- e) is not employed by or hold a management position with Ice Hockey Australia, Ice Hockey Queensland, Ice Skating Queensland or any other Australian ice hockey club or association.

16.3 A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting, or on the website of the association for at least seven days immediately preceding the annual general meeting.

16.4 If required by the management committee, balloting lists must be prepared containing the name of the candidates in alphabetical order.

16.5 The management committee must ensure that, before a candidate is elected as a member of the management 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.

17 Resignation, Removal or Vacation of Office of Management Committee Member

17.1 Resignation

- a) A member of the management committee may resign from the management committee by giving written notice of resignation to the Secretary.
- b) The resignation takes effect at:
 - i. the time the notice is received by the Secretary; or
 - ii. if a later time is stated in the notice—the later time.

17.2 Removal



- a) A member may be stood down temporarily from the management committee by the passing of a flying minute, being a written resolution, in which the majority of management committee members vote in favour of temporarily standing down the member. This temporary stand down will remain in place until such time as subrules 17.2(b)-(e) are completed.
- b) A member may be removed from the management committee 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.
- c) Before a vote of members is taken about removing the member from the management committee, the member must be given a full and fair opportunity to show cause why he or she should not be removed from the management committee.
- d) A member has no right of appeal against the member's removal from the management committee under this rule.
- e) A member immediately vacates the office of member of the management committee in circumstances set out in subrule 17.3.

17.3 **Vacation**

The office of a member of the management committee shall be vacated if the person holding that office:

- a) dies; or
- b) becomes bankrupt or compounds with creditors or otherwise takes advantage of the laws in force for the time being relating to bankruptcy; or
- c) is:
 - i. convicted of an offence under the Act; or
 - ii. convicted of an indictable offence or an offence punishable on summary conviction for which the person is sentenced to imprisonment, other than in default of payment of a fine; or
- d) has been convicted on indictment or summarily and sentenced to imprisonment, other than in default of payment of a fine, and the rehabilitation period in relation to the conviction has not expired; or
- e) without leave, fails to attend four consecutive management committee meetings.

18 Vacancies on Management Committee



- 18.1 If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of any class of the association to fill the vacancy until the next annual general meeting.
- 18.2 The continuing members of the management committee may act despite a casual vacancy on the management committee.
- 18.3 However, if the number of committee members is less than the number fixed under subrule 21.1 as a quorum of the management committee, the continuing members may act only to:
 - a) increase the number of management committee members to the number required for a quorum; or
 - b) call a general meeting of the association.

19 Functions of Management Committee

- 19.1 Subject to these rules or a resolution of the members of the association carried at a general meeting, the management committee has the general control and management of the administration of the affairs, property and funds of the association.
- 19.2 The management 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 any Interpretative Note in these rules, the Act and any regulation made under the Act.
- 19.3 The management 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 subrule 19.3(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 association's 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.
- 19.4 For subrule 19.3(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 management committee.
- 19.5 The management committee must ensure that the association has appropriate public liability insurance at all times.
- 19.6 The management committee must ensure that general financial matters are undertaken in accordance with the Act and rules 42 and 43.

20 Meetings of Management Committee

- 20.1 Subject to this rule, the management committee may meet and conduct its proceedings as it considers appropriate.
- 20.2 The management committee must meet at least once every three (3) months to exercise its functions.
- 20.3 The management committee must decide how a meeting is to be called.
- 20.4 Notice of a meeting is to be given in the way decided by the management committee. To avoid any doubt, a notice of meeting of the management committee may be given electronically.
- 20.5 A management committee member who hears and takes part in discussions is taken to be present at the management committee meeting.
- 20.6 A member of the management 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 member's vote must not be counted.
- 20.7 A question arising at a committee meeting is to be decided by a majority vote of members of the committee present at the meeting and, if the votes are equal, the President will have the casting vote subject to subrule 20.7.
- 20.8 Where the question for decision has been tabled by the President and the votes are equal, the Vice President will have the casting vote.
- 20.9 The chairperson of the management committee will be the President, or if the President does not accept the chair, the management committee will elect a chairperson (who is an elected member of the management committee) at the



first meeting of the newly elected management committee.

20.10 If there is no President or elected chairperson or if the President or elected chairperson is not present within ten minutes after the time fixed for a management committee meeting, the members of the management committee may choose one of their number to preside as chairperson at the meeting.

21 Quorum and Adjournment of Management Committee Meeting

21.1 At a management committee meeting, a quorum is formed by more than 50% of the members elected to the management committee as at the close of the last general meeting of the members of the association.

21.2 If there is no quorum within 30 minutes after the time fixed for a management committee meeting called on the request of members of the management committee, the meeting lapses.

21.3 If there is no quorum within 30 minutes after the time fixed for a management committee meeting called other than on the request of the members of the management committee:

- a) the meeting is to be adjourned for at least one (1) day; and
- b) the members of the management committee who are present are to decide the day, time and place of the adjourned meeting.

21.4 If, at an adjourned meeting mentioned in subrule 21.3 there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

22 Special Meeting of Management Committee

22.1 If the Secretary receives a written request signed by at least 50% of the members of the management committee, the Secretary must call a special meeting of the management committee by giving each member of the management committee notice of the meeting within 14 days after the Secretary receives the request.

22.2 If the Secretary is unable or unwilling to call the special meeting, under subrule 22.1 the President must call the meeting.

22.3 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.

22.4 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.

22.5 To avoid any doubt, a notice of special meeting may be given electronically.

22.6 A special meeting of the management committee must be held within 14 days after notice of the meeting is given to the members of the management committee.

23 Minutes of Management Committee Meetings

23.1 The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting are entered in a minutebook.

23.2 To ensure the accuracy of the minutes, the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy.

24 Appointment and Removal of Secretary

24.1 The Secretary must be an individual residing in Queensland who is a class of member of the association, who complies with subrule 16.2, appointed by the management committee as Secretary.

24.2 If a vacancy happens in the office of Secretary, the members of the management committee must ensure a Secretary is appointed for the association within one (1) month after the vacancy happens.

24.3 If the management committee appoints a member as Secretary to fill a casual vacancy on the management committee, the person becomes a member of the management committee.

24.4 The management committee of the association may at any time remove a person appointed by the management committee as the Secretary. Such removal will result in the person no longer being a member of the management committee.

25 Functions of Secretary

25.1 The Secretary's functions include, but are not limited to:

- a) calling meetings of the association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the President of the association; and



- b) keeping minutes of each meeting; and
- c) keeping copies of all correspondence and other documents relating to the association.

26 Appointment of Subcommittees

- 26.1 The management committee may appoint a subcommittee consisting of members of the association, or other persons, considered appropriate by the management committee to help with the conduct of the association's operations.
- 26.2 The management committee must approve, in writing, the participation of any management committee member in a subcommittee, prior to the commencement of that member's participation.
- 26.3 The management committee may set the terms of reference for each subcommittee formed, and amend such terms of reference from time to time, as the management committee sees fit.
- 26.4 A subcommittee may elect a chairperson of its meetings.
- 26.5 If a chairperson is not elected, or if the chairperson is not present within ten minutes after the time fixed for a meeting, the members present may choose one of their number to be chairperson of the meeting.
- 26.6 A subcommittee may meet and adjourn as it considers appropriate.
- 26.7 A member of the association may be involved with more than one subcommittee.
- 26.8 A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.
- 26.9 The management committee has the power to terminate a subcommittee as and when, in its sole discretion, it considers appropriate.
- 26.10 The management committee has the power to terminate a person's appointment to a subcommittee, as and when, in its sole discretion, it considers appropriate.
- 26.11 The chairperson of each subcommittee must provide written reports to the management committee, as directed by the management committee.
- 26.12 The chairperson of the subcommittee may, upon invitation by a member of the management committee, attend and address a management committee meeting.
- 26.13 No member of a subcommittee is entitled to vote at a management committee meeting.



27 Acts not affected by Defects or Disqualifications

- 27.1 An act performed by the management committee, a subcommittee or a person acting as a member of the management committee is taken to have been validly performed.
- 27.2 Rule 27.1 applies even if the act was performed when:
- a) there was a defect in the appointment of a member of the management committee, subcommittee or person acting as a member of the management committee; or
 - b) a management committee member, subcommittee member or person acting as a member of the management committee was disqualified from being a member.

28 Resolutions of Management Committee without Meeting

- 28.1 A written resolution signed by each member of the management committee is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.
- 28.2 A resolution mentioned in subrule 28.1 may consist of several documents (including but not limited to emails) in like form, each sent by one (1) or more members of the management committee.

29 First Annual General Meeting

The first annual general meeting must be held within three (3) months after the end date of the association's first reportable financial year.

30 Subsequent Annual General Meetings

Each subsequent annual general meeting must be held:

- 30.1 at least once each year; and
- 30.2 within three (3) months after the end date of the association's reportable financial year.

31 Business to be conducted at Annual General Meeting

- 31.1 The business to be transacted at every annual general meeting shall be:



- a) the receiving of the management committee's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the association for the preceding financial year;
- b) the receiving of the signed audit report by an auditor or an accountant for adoption by the association's annual general meeting as required for the association in accordance with the Act;
- c) the appointment of either:
 - i. an auditor; or
 - ii. an accountant,as required for the association to operate in accordance with the Act;
- d) to conduct the voting for the election of applicable management committee members (see subrule 15.4.4). If, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting; and
- e) the declaration of the results of the election of members of the management committee.

31.2 In this rule 31 audit report, auditor and accountant have the meaning given to those terms in Part 6 Division 2 of the Act.

32 Notice of General Meeting

- 32.1 The Secretary may call a general meeting of the association.
- 32.2 The Secretary must give at least 14 days written notice of the meeting to each member of the association.
- 32.3 If the Secretary is unable or unwilling to call the meeting, the President must call the meeting.
- 32.4 The management committee may decide the way in which the notice must be given. 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 management 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.



- 32.5 A notice of a general meeting must state the business to be conducted at the meeting.

33 Quorum and Adjournment of General Meeting

- 33.1 The quorum for a general meeting is at least the number of members elected or appointed to the management committee at the close of the association's last general meeting plus one (1).
- 33.2 No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.
- 33.3 If there is no quorum within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the association, the meeting lapses.
- 33.4 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 management committee or the association:
- a) the meeting is to be adjourned for at least seven (7) days; and
 - b) the management committee is to decide the day, time and place of the adjourned meeting.
- 33.5 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.
- 33.6 If a meeting is adjourned under subrule 33.5, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- 33.7 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.
- 33.8 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

- 34.1 A member may take part and vote in a general meeting in person or by using any technology that reasonably allows the member to hear and take part in the discussions as they happen.
- 34.2 A member who hears and takes part in discussions in a general meeting is taken



to be present at the general meeting.

34.3 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 one (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

35.1 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 and eligible to vote.

35.2 Each member present and eligible to vote is entitled to one (1) vote only, subject to subrule 7.2(c) where a parent member may hold one (1) vote for each minor playing member within their family.

35.3 If the votes are equal, the chairperson has a casting vote as well as a primary vote.

35.4 A member is not entitled to vote at a general meeting if the member's membership fees are in arrears at the date of the meeting.

35.5 The method of voting is to be decided by the management committee.

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

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

35.8 The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held.

36 Special General Meeting

36.1 The Secretary must call a special general meeting by giving each member of the association notice of the meeting within 14 days after:

- a) being directed to call the meeting by the management committee; or
- b) being given a written request signed by:



- i. at least 50% of the number of members of the management committee when the request is signed; or
 - ii. fifteen members of the association who are eligible to vote.
 - c) being given a written notice of an intention to appeal against the decision of the management committee:
 - i. to reject an application for membership; or
 - ii. to terminate a person's membership.
- 36.2 A request mentioned in subrule 36.1(b) must state:
 - a) why the special general meeting is being called; and
 - b) the business to be conducted at the meeting.
- 36.3 A special general meeting must be held within one (1) month after the Secretary:
 - a) is directed to call the meeting by the management committee; or
 - b) is given the written request mentioned in subrule 36.1(b); or
 - c) is given the written notice of an intention to appeal mentioned in subrule 36.1(c).
- 36.4 If the Secretary is unable or unwilling to call the special meeting, the President must call the meeting.

37 Proxies

- 37.1 An instrument appointing a proxy must be in writing and be in a form similar to Appendix A or B of these rules.
- 37.2 The instrument appointing a proxy must—
 - a) if the appointor is an individual—be signed by the appointor or the appointor's attorney properly authorised in writing; or
 - b) if the appointor is a corporation—
 - i. be under seal; or
 - ii. be signed by a properly authorised officer or attorney of the corporation.
- 37.3 A proxy may be a member of the association or another person.
- 37.4 The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.



- 37.5 Each instrument appointing a proxy must be given to the Secretary before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote.
- 37.6 Unless otherwise instructed by the appointor, the proxy may vote as the proxy considers appropriate.
- 37.7 If a member wants a proxy to vote for or against a resolution, the instrument appointing the proxy must be in a form similar to Appendix B of these rules.

38 Minutes of General Meetings

- 38.1 The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered in a minute book.
- 38.2 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, (who must have been in attendance) 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, (who must have been in attendance) verifying their accuracy.
- 38.3 If asked by a member of the association, the Secretary must, within 28 days after the request is made:
 - a) make the minute book 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.
- 38.4 The association may require the member to pay the reasonable costs of providing copies of the minutes.

39 By-laws

- 39.1 The management committee may, in writing, make, amend or repeal by-laws, including a code of conduct not inconsistent with these rules, for the internal management of the association.
- 39.2 To be effective and valid, the making, amendment or repeal of any by-law, including a code of conduct, must be notified to members of the association.
- 39.3 A by-law may be set aside by a vote of members at a general meeting of the



association.

40 Alteration of Rules

- 40.1 Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
- 40.2 However an amendment, repeal or addition is valid only if it is registered with the chief executive.

41 Common Seal

- 41.1 The management committee must ensure the association has a common seal.
- 41.2 The common seal must be:
 - a) kept securely by the management committee; and
 - b) used only under the authority of the management committee.
- 41.3 Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by:
 - a) the Secretary; or
 - b) another member of the management committee; or
 - c) someone authorised, in writing, by the management committee.

42 Funds and Accounts

- 42.1 The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.
- 42.2 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
- 42.3 All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- 42.4 A payment by the association of \$100 or more must be made by cheque or electronic funds transfer in accordance with the delegation schedule determined by the management committee.
- 42.5 If a payment is made by cheque or electronic transfer, the cheque or electronic transfer must be signed or electronically released by any two (2) of the following:



- a) the President;
 - b) the Secretary;
 - c) the Treasurer;
 - d) any other person who has been authorised by the management committee to sign cheques or undertake electronic funds transfers issued by the association in accordance with the delegation schedule determined by the management committee.
- 42.6 However, one (1) of the persons who signs the cheque must be the President, the Secretary or the Treasurer or a person authorised pursuant to the delegation schedule determined by the management committee.
- 42.7 All expenditure must be approved or ratified by the management committee.

43 General Financial Matters

- 43.1 As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a financial statement containing particulars of:
- a) the income and expenditure for the financial year just ended; and
 - b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that financial year.
- 43.2 All such financial statements shall be examined in accordance with the provisions of the Act and be presented to the Secretary prior to the holding of the annual general meeting next following the financial year in respect of which such examination was made.
- 43.3 In accordance with the provisions of the Act the party examining the financial statements under subrule 43.2 must prepare a signed audit report or statement, whichever is applicable.
- 43.4 If required by the Act, within one (1) month after the financial statement and signed statement or audit report are received by a general meeting in accordance with rule 31, the following must be lodged with the chief executive:
- a) a copy of the financial statement for the reportable financial year:
 - i. as adopted at the annual general meeting of the association, signed and dated by the President or Treasurer; or
 - ii. as presented to the annual general meeting of the association, if it is not adopted at the meeting, signed and dated by the President or Treasurer; and
 - b) a copy of the signed audit report or statement, whichever is required in



accordance with the Act; and

- c) a return in the approved form; and
- d) any fees prescribed under a regulation.

43.5 The income and property of the association must be used solely in promoting the association's objectives and exercising the association's powers.

44 Documents

The management committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

45 Notices

45.1 Any notice required to be given under these rules may be given by any one of the following means:

- a) by posting the written notice concerned on the association's notice board, located at the association's premises;
- b) by sending the written notice to the email address of the member as indicated on the register of members;
- c) by sending the written notice to the postal address of the member as indicated on the register of members; or
- d) by posting the written notice concerned on the website of the association.

46 Financial Year

The end date of the association's financial year is 30 June in each year.

47 Indemnity for Management Committee

47.1 Every member of the management committee, office bearer, auditor or other officer or servant of the association shall be indemnified out of the funds of the association. It is the duty of the association to pay all costs, losses and expenses which any such person shall incur or become liable to by reason of any contract entered into or act or thing done by him or her as a member of the management committee, an office bearer, an auditor, an officer or servant or in any way in the discharge of his or her duties as such.

47.2 Every member of the management committee, officer bearer, auditor or other officer or servant of the association shall be indemnified out of the funds of the association against all liability incurred by him or her as such in defending any



proceedings in which judgment is given in his or her favour or in which he or she is acquitted or in connection with any application in relation to any such proceedings in which relief is under the relevant law granted to him or her by the Court.

48 Distribution of Property on Winding Up

48.1 This rule applies if the association:

- a) is wound-up under part 10 of the Act; and
- b) has surplus assets,

after the satisfaction of all its debts and liabilities.

48.2 The surplus assets must not be distributed among the members of the association.

48.3 The surplus assets must be given or transferred to another entity:

- a) having objectives similar to the association's objectives; and
- b) the rules of which prohibit the distribution of the entity's income and assets to its members; and
- c) determined by the members of the association at or before the time of dissolution, and in default by a judge of the relevant State Court as may have or acquired jurisdiction in the matter.

48.4 In this rule, surplus assets has the meaning in section 92(3) of the Act.

49 Major Asset

49.1 The association will not sell, assign, transfer or otherwise dispose of a major asset without the consent of a majority of members present and eligible to vote at a special general meeting.

49.2 The association will not mortgage, provide as security, or allow a charge over a major asset without the consent of a majority of members present and eligible to vote at a special general meeting.

49.3 For the purposes of this subrule 49, major asset means any real property, buildings, equipment, lease, sub lease, licence, sub licence or fixtures running with the land in which the club has a legal or equitable interest.

50 Club Colours



- 50.1 **(Standard Colours)** The Club colours shall predominantly feature red, white and black incorporated in the playing jersey and socks.
- 50.2 From time to time, the management committee may decide (in its sole discretion) that playing jerseys and socks shall be, for a temporary period, an alternate colour to the Standard Colours in order to fulfil a charitable or commercial purpose of the association.

51 Club Crest

The only official Club Crest (badge) to be used to distinguish the identity of the Club on apparel and other formal productions and publications shall be the design affixed below.





Appendix A Proxy Form (annual) general meeting

Brisbane Buccaneers Ice Hockey Club Incorporated:

I, _____ of _____ being a
member of the association, appoint _____ of
_____ as my proxy to vote for me on my behalf at the (annual) general
meeting of the association, to be held on the _____ day of _____
and at any adjournment of the meeting.

Signed this _____ day of _____ 20_____

Signature



Appendix B Proxy Form (annual) general meeting with resolutions

Brisbane Buccaneers Ice Hockey Club Incorporated:

I, _____ of _____ being a
member of the association, appoint _____ of
_____ as my proxy to vote for me on my behalf at the (annual) general
meeting of the association, to be held on the _____ day of _____
and at any adjournment of the meeting.

Signed this _____ day of _____ 20_____

Signature

This form is to be used *in favour of/*against [strike out whichever is not wanted] the following
resolutions—
[List relevant resolutions]