

# Beelarong Community Farm Association rules

## 1. Interpretation

In these rules, *Act* means the *Associations Incorporation Act 1981*. 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.

The provision at section 47(1) of the Act does not apply.

## 2. Name

The name of the association is Beelarong Community Farm Association Inc. (*the association*).

## 3. Premises, address and acknowledgement

The premises are at 142 Beverley Street, Morningside, Queensland 4170 (*the premises*). The association's postal address is PO Box 595, Morningside, Queensland 4170.

The premises are public land that is leased from Brisbane City Council. The association acknowledges its dependence on the success of this continued relationship with and support from the Brisbane City Council.

## 4. Objects

The objects of the association are to:

- Create a vibrant community farm within an urban environment;
- Encourage, educate, share and nurture interests in sustainable living;
- Use our facilities and gardens as an inclusive learning centre;
- Provide a successful example of living and working co-operatively;
- Enhance the value of the farm by encouraging access for quiet recreation;
- Protect and enhance the natural environment in the local area; and
- Be a caring and supportive member of the local community.

## 5. Powers

- (1) The association has the powers of an individual.
- (2) The association may, for example:
  - (a) enter into contracts; and
  - (b) acquire, hold, deal with and dispose of property; and
  - (c) make charges for services and facilities it supplies; and
  - (d) do other things necessary or convenient to be done in carrying out its affairs.

## 6. Number and classes of members

- (1) The number of members is unlimited.
- (2) Membership consists of members in any of the following classes of members:
  - (a) Concession
  - (b) Single
  - (c) Family

- (d) Group
  - (e) Life
  - (f) Honorary
- (3) Concession membership is for students, Centrelink or age pension card holders.
- (4) Family membership is for a group of more than one person, who must all reside at the same household address and who nominate one of their group to be the representative holder of the Family membership. For each such family group, only one Family membership will be granted and will be held by the nominated family group representative and that representative will be the only person who is entitled to exercise any rights or receive any benefits in connection with the Family membership (including rights to receive notices or information, attend meetings and voting rights).
- (5) Group membership is for charitable and community associations and educational entities.
- (6) Life membership may be granted by the management committee in their discretion from time to time to a person who
- (a) is already a member; and
  - (b) has shown meritorious service to the association for a period of at least 10 years.
- (7) Honorary membership may be granted by the management committee in their discretion from time to time.

## **7. Voting rights**

Each of the following members has two votes per membership:

- (a) a Family member; and
- (b) a Group member.

All other members have one vote each.

## **8. New membership**

An application for membership must be submitted to the management committee and must be:

- (a) in writing;
- (b) signed by the applicant; and
- (c) in the form decided by the management committee from time to time.

## **9. Membership fees**

- (1) Subject to rule 9(2) below, the membership fee for each class of membership:
- (a) is the amount decided by the members from time to time at a general meeting; and
  - (b) is payable when, and in the way, the management committee decides.
- (2) No membership fees will be payable by a Life member or an Honorary member at any time.

## **10. Admission and rejection of new members**

- (1) The management committee must consider an application for membership at the next committee meeting after it receives the application and the appropriate membership fee has been paid.
- (2) The management committee must decide at the meeting whether to accept or reject the application.
- (3) If a majority of the members of the management committee present at the meeting vote to accept the applicant as a member, the applicant is accepted as a member for the class of membership applied for.
- (4) The secretary must, as soon as practicable, give the applicant written notice of the decision.

## **11. When membership ends**

- (1) A member may resign by giving written notice to the secretary (which includes notice by email).
- (2) The resignation takes effect when stated in the notice or otherwise at the time the notice is received by the secretary.
- (3) The management committee may suspend or terminate any membership if the member:
  - (a) is convicted of an indictable offence; or
  - (b) does not comply with any of the provisions of these rules; or
  - (c) has membership fees in arrears for at least 2 months; or
  - (d) conducts themselves in a way considered to be injurious or prejudicial to the character or interests of the association.
- (4) Before the management committee terminates any membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- (5) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary must give the member written notice of the decision.
- (6) A membership that has been suspended under rule 11(3) may be reinstated by the management committee in its sole discretion.

## **12. Appeal against rejection or termination of membership**

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

## **13. General meeting to decide appeal**

- (1) The general meeting to decide an appeal must be held within three months after the secretary receives the notice of intention to appeal.
- (2) At the meeting:
  - (a) 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, and
  - (b) 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.
- (4) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.
- (5) If a person whose application for membership has been rejected does not appeal against the decision within 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 membership fee paid by the person.

## **14. Register of members**

- (1) The management committee must keep a register of members.
- (2) The register must include the following particulars for each member:

- (a) full name;
  - (b) postal or residential address, phone number and email address;
  - (c) date of admission;
  - (d) date they ceased to be a member, if applicable;
  - (e) details about any suspension, termination or reinstatement of membership;
  - (f) for Life and Honorary members, the date and reason for the award and when it expires;
  - (g) for Family members, the nominated representative of the family group; and
  - (h) any other particulars the management committee or members at a general meeting decide.
- (3) The register must be made available to members subject to prevailing legal or reasonable privacy requirements.
- (4) A member must contact the secretary to inspect the register.
- (5) The management committee may, on application of a member, withhold information about the member (other than their 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.

## **15. Prohibition on use of information on register of members**

A member must not:

- (a) use information obtained from the register of members to contact, or send material to, another member for the purpose of advertising for political, religious, charitable or commercial purposes;
- or
- (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member for the purpose of advertising for political, religious, charitable or commercial purposes.

## **16. Election or appointment of secretary**

- (1) The secretary must be:
- (a) a member normally residing in Queensland; and
  - (b) elected by the association; or
  - (c) a person appointed by the management committee.
- (2) If there is a vacancy for the role of secretary, the management committee must ensure a secretary is elected or appointed within one month after the vacancy arises.

## **17. Removal of secretary**

The management committee may at any time remove a person appointed by the committee as the secretary.

## **18. Functions of secretary**

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

- (a) calling meetings, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the president
- (b) keeping minutes of each meeting
- (c) keeping copies of all correspondence and other documents relating to the association; and
- (d) maintaining the register of members.

## 19. Duties of management committee members

The duties of the management committee are:

- (1) To carry out their functions in the best interests of the association, and with due care and diligence.
- (2) To not use their position or information gained from their position to:
  - gain a benefit or material advantage for themselves or another person; or
  - cause detriment to the association.
- (3) To disclose when they have personal interest in any matter which is the business of the association, and to exclude themselves from any meeting to consider or to vote on the matter unless permitted by the other management committee members.
- (4) To ensure that persons who are related, closely or intimately associated with another management committee member, do not carry out any function involving the approval of expenditure with that other person.
- (5) To prevent the association from trading whilst insolvent.

## 20. Membership of management committee

- (1) A member of the management committee must be a member of the association.
- (2) The management committee consists of a president, treasurer, secretary, such other persons with other roles or duties as decided at a general meeting and any other members elected to the committee at a general meeting.
- (3) At each annual general meeting, the members of the management committee must retire from office but are eligible, on nomination, for re-election.
- (4) A member may be appointed to a casual vacancy on the management committee under rule 24.

## 21. Electing the management committee

- (1) A member of the management committee including any member standing for re-election may only be elected as follows:
  - (a) any two members may nominate another member (the *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 them; 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 present and eligible to vote at the annual general meeting may vote for one candidate for each vacant position on the management committee;
  - (d) if at the start of the meeting there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- (2) A person may be a candidate only if the person:
  - (a) is an adult; and
  - (b) is not ineligible to be elected as a member of the management committee under section 61A of the Act.
- (3) A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be distributed to members or displayed at the premises at least seven days before the annual general meeting.

(4) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

## **22. Resignation, removal or vacation of office of management committee member**

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

## **23. Vacancies on management committee**

- (1) The committee may appoint a member to fill any vacancy until the next annual general meeting.
- (2) The committee may act despite a casual vacancy.
- (3) However, if the number of committee members is less than provided for under rule 27(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.

## **24. Functions of management committee**

- (1) Subject to these rules or a resolution of the members 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.
- (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 the Act, including any regulation made under the Act.

*Note—*

The Act prevails if the association's rules are inconsistent with the Act—see section 1B of the Act.

- (3) The management committee may exercise the powers of the association to:
  - (a) borrow, raise or secure the payment of amounts in a way that the members of the association decide;
  - (a) secure the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association;
  - (b) borrow amounts from members and pay interest on the amounts borrowed at a rate not more than the current rate being charged for overdrawn accounts on money lent regardless of the term of the loan by a financial institution for the association;
  - (c) mortgage or charge the whole or part of its property;
  - (d) issue security for any debt, liability or obligation of the association;

- (e) provide and pay off any security, debt or liability;
- (f) invest in a way that it decides.

## **25. Meetings of management committee**

- (1) The management committee must meet at least once every 4 months to exercise its functions.
- (2) The management committee must decide how a meeting is to be called and how notice of such meetings is to be given.
- (3) The management committee may hold meetings, or permit committee members to take part in its meetings, using any technology that reasonably allows the member to hear and take part in discussions as they happen, and committee members taking part in such a way are taken to be present for the purposes of forming a quorum.
- (4) A question or motion arising at a committee meeting is to be decided by a majority vote of members present at the meeting and, if the votes are equal, the question is decided in the negative or the motion defeated.
- (5) A member of the management committee must not vote on a question or motion about a contract or proposed contract with the association if the member has an interest in the contract or proposed contract.
- (6) The president is to be the chairperson at a management committee meeting.
- (7) If there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, the members may choose another member to be the chairperson at the meeting.

## **26. Quorum for and adjournment of management committee meeting**

- (1) More than half of the members elected to the committee at the last general meeting of the members form a quorum.
- (2) If there is no quorum within 30 minutes after the time fixed for a management committee meeting, the meeting may not proceed and:
  - (a) the meeting is to be adjourned for at least 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..

## **27. Special meeting of management committee**

- (1) A request for a special meeting of the management committee must state:
  - (a) why the special meeting is called; and
  - (b) the business to be conducted at the meeting.
- (2) If the secretary receives a written request signed by at least one third of the members of the committee, they must call a special meeting by giving each member of the committee notice of the meeting within 14 days after receiving the request.
- (3) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.
- (4) A notice of a special meeting must state:
  - (a) the day, time and place of the meeting; and
  - (b) the business to be conducted at the meeting.
- (5) A special meeting of the committee must be held within 14 days after notice of the meeting is given to its members.

## **28. Minutes of management committee meetings**

- (1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting are recorded.
- (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.

## **29. Appointment of subcommittees**

- (1) The management committee may appoint a subcommittee of members to help with the conduct of the association's operations.
- (2) A member of a subcommittee who is not a member of the management committee is not entitled to vote at a management committee meeting.
- (3) A subcommittee may elect a chairperson of its meetings.
- (4) If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose one of their number to be chairperson of the meeting.
- (5) A subcommittee may meet and adjourn as it considers appropriate.
- (6) A question arising at a subcommittee meeting is to be decided by a majority vote of the members present and, if the votes are equal, the question is decided in the negative.

## **30. Acts not affected by defects or disqualifications**

- (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.
- (2) Subrule (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.

## **31. Resolutions of management committee without meeting**

A written resolution signed by every 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. Such a resolution may consist of several documents in like form, each signed by 1 or more members of the committee.

## **32. Internal grievance and dispute resolution**

The association has a grievance and dispute resolution procedure.

To effect this procedure, a member may appoint any person to act on their behalf and each party involved will be given an opportunity to be heard. The procedure provides for unbiased mediation if the dispute cannot be initially resolved amongst parties.



### **33. Annual general meetings**

An annual general meeting must be held:

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

### **34. Business to be conducted at annual general meeting**

The following business must be conducted at each annual general meeting:

- (a) receive the association's financial statement, and:
  - (i) if the association is a level 1 incorporated association or a level 2 or 3 incorporated association to which section 59 of the Act applies, audit report; or
  - (ii) otherwise, signed statement
- (b) present the financial statement and:
  - (i) if the association is a level 1 incorporated association or a level 2 or 3 incorporated association to which section 59 of the Act applies, audit report; or
  - (ii) Otherwise, signed statement;
- (c) elect members of the management committee;
- (d) if the association is a level 2 or 3 incorporated association to which section 59 of the Act applies —appoint an auditor, an accountant or an approved person for the present financial year; or
- (e) if the association is a level 1 incorporated association —appoint an auditor or an accountant for the present financial year

### **35. Notice of general meeting**

- (1) The secretary may call a general meeting.
- (2) The secretary must give at least 14 days notice of the meeting to each member.
- (3) If the secretary is unable or unwilling to call the meeting, the president must call the meeting.
- (4) The management committee may decide the way in which the notice must be given.
- (5) However, notice must be given in writing when a meeting is called to hear and decide:
  - (a) the appeal of a person against the management committee's decision:
    - (i) to reject the person's application for membership; or
    - (ii) to terminate the person's membership; or
  - (b) a proposed special resolution.
- (6) A notice of a general meeting must state the business to be conducted at the meeting.

### **36. Quorum for, and adjournment of, general meeting**

- (1) A quorum for a general meeting is:
  - (a) at least the number of members elected or appointed to the management committee at the close of the last general meeting plus one; or
  - (b) if all members of the association are members of the management committee, the total number of members less 1.
- (2) If there is no quorum within 30 minutes after the time fixed for a general meeting, the meeting may not proceed and:
  - (a) the meeting is to be adjourned for at least seven days; and
  - (b) the management committee is to decide the day, time and place of the adjourned meeting.
- (3) The chairperson may, with the consent of any meeting, and must if directed by the meeting, adjourn the meeting.

- (4) If a meeting is adjourned, only the business left unfinished at the original meeting may be conducted at the adjourned meeting.
- (5) 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.
- (6) 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.

### **37. Procedure at general meeting**

- (1) A member may take part and vote in a general meeting in person, by proxy, by attorney or by using any technology that reasonably allows the member to hear and take part in discussions as they happen and a member taking part in such manner shall be taken to be present for the purposes of forming a quorum.
- (2) At each general meeting:
  - (a) the president is to be the 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 a member to be chairperson of the meeting; and
  - (c) the chairperson must conduct the meeting in a proper and orderly way.

### **38. Voting at general meeting**

- (1) At a general meeting, each question, motion or resolution, other than a special resolution, must be decided by a majority of votes of the members present.
- (2) Each member present and eligible to vote is entitled to:
  - (a) for Family and Group members, two votes per membership; and
  - (b) for all other types of members, one vote only per membership,and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.
- (3) A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.
- (4) The method of voting is to be decided by the management committee.
- (5) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.
- (6) If a secret ballot is held, the chairperson must appoint two members to conduct the secret ballot in the way the chairperson decides.
- (7) The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held.

### **39. Special general meeting**

- (1) The secretary must call a special general meeting by giving each member 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 one third of the number of members of the management committee when the request is signed; or
    - (ii) at least the number of members equal to double the number of members on the management committee when the request is signed plus one; or

- (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.
- (2) A request mentioned in subrule (1)(b) must state:
  - (a) why the special general meeting is being called; and
  - (b) the business to be conducted at the meeting.
- (3) A special general meeting must be held within three months after the secretary is:
  - (a) directed to call the meeting by the management committee; or
  - (b) given the written request mentioned in subrule (1)(b); or
  - (c) given the written notice of an intention to appeal mentioned in subrule (1)(c).
- (4) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.

## 40. Proxies

- (1) An instrument appointing a proxy must be in writing and be in the following or similar form:

Beelarong Community Farm Association Inc:  
 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, to be held on the \_\_\_\_\_ day of  
 20\_\_\_\_  
 and at any adjournment of the meeting.  
 Signed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ .  
 \_\_\_\_\_ Signature

- (2) The instrument appointing a proxy must be signed by the appointor (or in the case of a corporation, by a properly authorised officer of the corporation) or the appointor's attorney properly authorised in writing.
- (3) A proxy may be a member or another person.
- (4) The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.
- (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.
- (6) Unless otherwise instructed by the appointor, the proxy may vote as the proxy considers appropriate.
- (7) If a member wants a proxy to vote for or against a resolution, the instrument appointing the proxy must be in the following or similar form:

Beelarong Community Farm Association Inc:  
 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, to be held on the \_\_\_\_\_ day of  
 20\_\_\_\_  
 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*]

## **41. Minutes of general meetings**

- (1) The secretary must ensure full and accurate minutes of all questions, motions, resolutions and other proceedings of each general meeting are recorded.
- (2) The minutes of each annual general meeting or general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy.
- (3) If asked by a member, the secretary must, within 28 days after the request is made:
  - (a) make the minutes for a particular general meeting available for inspection by the member at a mutually agreed time and place; and
  - (b) give the member copies of the minutes of the meeting.
- (4) The association may require the member to pay the reasonable costs of providing copies of the minutes.

## **42. By-laws**

- (1) The management committee may make, amend or repeal by-laws, consistent with these rules, for the internal management of the association.
- (2) A by-law may be set aside by a vote of members at a general meeting.

## **43. Alteration of rules**

- (1) Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
- (2) However an amendment, repeal or addition is valid only if application for registration has been made within three months after it was passed and payment for registration is made to the Queensland Government Fair Trading Office by the secretary, and registration is granted by the chief executive of the Department of Justice and Attorney-General (Section 48 of the Act).

## **44. Common seal**

- (1) The association will not use a common seal when executing contracts and documents.
- (2) The association may execute a contract or document without using a common seal if the contract or document is signed by a member of the management committee of the association and countersigned by—
  - (a) the secretary of the association; or
  - (b) another member of the management committee of the association; or
  - (c) another person authorised by the management committee of the association.

## **45. Funds and accounts**

- (1) The funds of the association must be kept in an account in the name of the association with a financial institution decided by the management committee.
- (2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
- (3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.

- (4) Subject to (5) and (6) below, a payment by the association of \$100 or more must be made by cheque or electronic funds transfer and signed or authorised by any two of the following:
- (a) the president;
  - (b) the secretary;
  - (c) the treasurer; or
  - (d) any one of up to three other members who have been authorised by the management committee to authorise payments by the association and are not disqualified under clause 20(4) or by any other conflict of interest.
- (5) One of the persons who authorises a payment under (4) above must be the president, the secretary or the treasurer.
- (6) Two signatories or persons otherwise authorising a payment may not be related or living in the same household.
- (7) Cheques must be crossed not negotiable.
- (8) A petty cash account may be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
- (9) All expenditure must be approved or ratified at a management committee meeting.

## **46. General financial matters**

- (1) The treasurer must, as soon as practicable after the end of each financial year, ensure a statement of assets and liabilities for the last financial year is prepared.
- (2) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

## **47. Documents**

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

## **48. Financial year**

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

## **49. Voluntary administration**

The management committee may, in accordance with and subject to relevant legislation, appoint an administrator to place the association into voluntary administration. This option is an alternative to applying to the Supreme Court for appointment of a provisional liquidator.

## **50. Distribution of surplus assets to another entity**

- (1) This rule applies if the association:
- (a) is wound-up under part 10 of the Act; and
  - (b) has surplus assets.
- (2) The surplus assets must not be distributed among the members of the association.
- (3) The surplus assets must be given to another entity:
- (a) having objects similar to the association's objects; and

- (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
- (4) In this rule *surplus assets* see section 92(3) of the Act.