



**Constitution of the Australian Flyball  
Association Inc.**

**August, 2019**

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# Constitution of the Australian Flyball Association Inc.

## 1. NAME

The Name of the Club shall be "Australian Flyball Association Inc." herein after referred to as the Club.

## 2. INTERPRETATION

(a) In these rules, unless a contrary intention appears:

- i. "financial year" means the year ending on 30th June;
- ii. "Flyball events" includes competitions, demonstrations, training days, promotional activities, seminars, fundraising activities or any other activity that achieves the objectives of the Club;
- iii. "member" means a member, however described, of the Club;
- iv. "Office bearers" of the Club comprises the President, Vice-President, Secretary and Treasurer and these office bearers are the members of the Executive Committee;
- v. "ordinary committee member" means a member of the General Committee who is not an office-bearer of the Club or a Regional Representative;
- vi. "Regional Representative" is a member resident in a State or Territory in which there is at least one affiliated club and elected by members from that State or Territory;
- vii. "Secretary" means the person holding office under these rules as Secretary of the Club or, where no such person holds that office, the Public Officer of the Club;
- viii. "the Act" means the "Associations Incorporation Act 1991 (ACT)";
- ix. "the Regulations" means the "Associations Incorporation Regulation 1991 (ACT)";
- x. "The Australian Flyball Association" or "the Club "means the "Australian Flyball Association Incorporated";
- xi. a reference to a function includes a reference to a power, authority and duty;
- xii. a reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty;
- xiii. in any provision of this Constitution, unless the contrary intention appears, words importing the masculine gender shall include females; words in the singular shall include the plural and words in the plural shall include the singular.

(b) The provisions of the *Legislation Act 2001 (ACT)* apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

(c) That where a reference to conduct a meeting appears, the meeting can include telephone and electronic conferencing.

## 3. AFFILIATION

(a) The Club may affiliate with an appropriate Controlling Authority.

(b) Affiliation for clubs or like organisations is available on application.

#### 4. OBJECTIVES

- (a) The objectives of the Club are to;
- i. further the sport of Flyball and to promote co-operation and good sportsmanship in the sport of Flyball through its committees, rules and policies, **Flyball events** and other activities.
- (b) The principal activities of the Club are to;
- i. Provide training and guidance for Flyball
  - ii. **Conduct, participate in and support Flyball events**
  - iii. **Approve and sanction Flyball events**
  - iv. Create and maintain an up-to-date database of results from sanctioned competitions
  - v. Issue Club awards and titles
  - vi. through:
    - i. promoting community awareness of responsible dog ownership;
    - ii. fostering interest in the training of companion dogs and to make the handling of trained dogs popular; and
    - iii. promoting and undertaking activities in connection with **Flyball events**.
- (c) In addition to the basic objectives of the Club the objectives and purpose of the Club shall be deemed to include:
- i. the purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property that may be deemed necessary or convenient for any of the objectives or purposes of the Club;
  - ii. the construction, maintenance, and alteration of building or works necessary or convenient for any of the objectives or purposes of the Club;
  - iii. the taking of such steps from time to time as the **General** Committee or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Club, whether by the way of donation, subscription, or otherwise;
  - iv. the printing and publishing of such newspapers, periodicals, books leaflets or other documents as the **General** Committee or the members in general meeting may think desirable for the promotion of the objectives and the purposes of the Club;
  - v. the borrowing and raising of money either with or without security, in such manner and on such terms as the **General** Committee may think fit or as may be approved or directed- by resolution passed at a general meeting; and the repayment of money so raised or borrowed or the payment of a debt or liability of the Club by giving mortgages, charges or securities upon or over all or any of the real or personal property of the Club;
  - vi. subject to the provisions of the **Public Trustee and Guardian Act 1985 (ACT)**, the investment of any moneys of the Club not immediately required for any of its objectives or purposes in such a manner as the Committee may from time to time determine;
  - vii. the making of gifts, subscriptions, or donations to any of the funds, authorities, or institutions to which **Division 30 of the Income Tax Assessment Act 1957** of the Commonwealth relates;
  - viii. the establishment and support or aiding in the establishment or support, of any other Club formed for any of the basic objectives of the Club;
  - ix. the doing of all such other lawful things as are incidental or conducive to the attainment of the basic objectives of the Club or any of the objectives and purposes specified in the foregoing provisions of this sub-rule.

## 5. CONSTITUTION

- (a) The Club shall be conducted in accordance with this Constitution.
- (b) This Constitution may be added to, repealed or mended by resolution of any annual or general meeting, provided that due notice has been given, and that the resolution is carried by a majority of at least three quarters of the members present voting thereon and in the case of any resolution adding to, repealing or mending provisions relating to objectives or **Executive and General** Committee powers, by a majority of at least 90% of the members present voting thereon.
- (c)
  - i. Amendment of the objectives and purposes of the Club shall not be effective until approved by the Registrar of Associations.
  - ii. An alteration of the objectives, purposes or rules is of no effect until a copy of the alteration is lodged with the Registrar of Associations.

## 6. INCOME AND PROPERTY

- (a) The income and property of the Club shall be applied solely to the promotion of its objectives and no part thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, or otherwise by way of pecuniary profit to any member provided that remuneration may be paid in good faith to officers and servants of the Club or other persons in return of service actually rendered to the Club.
- (b) The Club shall not:
  - i. appoint a person who is a member of the **General** Committee to any office of the Club to the holder of which there is payable any remuneration or other benefit by way of salary, fees, or allowances; or
  - ii. pay to any such person any remuneration or other benefit in money or money's worth (other than the repayment of out of pocket expenses).

## 7. MEMBERSHIP

The Club shall compile and keep a register of members and addresses. Any member who changes their address shall as soon as possible thereafter notify the Secretary in writing. Subject only to this Constitution no person shall be entitled to exercise the rights and privileges of a member unless their name appears on the register of members as a member for the time being of the Club. The Club shall consist of ordinary members, associate members, honorary members and honorary life members.

## 8. MEMBERS

- (a) All persons who are prepared to acknowledge this Constitution as binding upon them shall be eligible for membership upon application on the prescribed form.
- (b) A person may apply for membership to include such named persons residing with the applicant who shall be known as associate members and who acknowledge, in whatever manner the **General** Committee determines from time to time that they will be bound by the Constitution.
- (c) Admission of members shall be by election of the **General** Committee. Following membership application being made on the prescribed form and all monies due being paid by the applicant, the Secretary shall forward a list of applications to the General Committee for election. Following such election those applicants who have not been accepted will be notified in writing by the Secretary and monies refunded. These members so elected shall become members and shall be entitled to all the benefits and privileges of Club Membership

and shall be bound by this constitution a copy of which shall be made available to them on demand.

## 9. HONORARY LIFE MEMBERS

Honorary Life Members shall mean a person, whether a member or not, who upon the recommendation of the **General** Committee, or upon a written nomination signed by not less than five members, is elected by a resolution passed in Annual General Meeting by a majority or not less than two-thirds of the members voting thereat and who in the opinion of such meeting has rendered outstanding services to the Club of for other good and sufficient reason. Such nomination is to be received by the **General** Committee at least one calendar month prior to the Annual General Meeting, and is to be supported by a qualification/justification for the nomination. An Honorary Life Member shall not be required to pay any subscription, but shall be entitled to all the benefits and privileges of ordinary membership. Such appointments shall not exceed two per year.

## 10. HONORARY MEMBERS

Honorary Membership may be conferred on such persons and for such periods as the **General** Committee may determine. Honorary members shall not be required to pay any subscription, but they shall not be eligible for election to office on the Committee or to vote as members.

## 11. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

A right, privilege or obligation, which a person has by reason of being member of the Club:

- (a) is not capable of being transferred or transmitted to another person; and,
- (b) terminates upon cessation of the person's membership.

## 12. CESSATION OF MEMBERSHIP

A person ceases to be a member of the Club if the person:

- (a) dies;
- (b) resigns from membership of the Club;
- (c) is expelled from the Club; or
- (d) any member who fails to pay or renew their subscription within 30 days of the due date shall be deemed unfinancial and membership shall thereupon lapse.

## 13. RESIGNATION OF MEMBERSHIP

A member is not entitled to resign from membership of the Club except as follows:

- (a) a member who has paid all amounts payable by the member to the Club may resign from membership of the Club by first giving notice (being not less than 1 month or, if the **General** Committee has determined a shorter period, that shorter period) in writing to the Secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member;
- (b) where a person ceases to be a member, the Secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## 14. DISCIPLINING OF MEMBERS

- (a) Where the **General** Committee is of the opinion that a member:
  - i. has refused or neglected to comply with a provision of this constitution; or
  - ii. has wilfully acted in a manner prejudicial to the interests of the Club; the **General** Committee may, by resolution-

1. expel or disqualify the member from the Club; or
  2. suspend the member from such rights and privileges of membership of the Club as the **General** Committee may determine for a specified period.
- (b) A resolution of the **General** Committee under sub rule (a) is of no effect unless the **General** Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under sub rule (c), confirms the resolution in accordance with this rule.
- (c) Where the **General** Committee passes a resolution under sub rule (a), the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member:
- i. setting out the resolution of the **General** Committee and the grounds on which it is based;
  - ii. stating that the member may address the **General** Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
  - iii. stating the date, place and time of the meeting; and
  - iv. informing the member, that the member may do either or both of the following:
    1. attend and speak at that meeting; or
    2. submit to the **General** Committee at or prior to the date of that meeting written representations relating to the resolution.
  - v. If a person elects to attend and speak at a meeting, they shall not be entitled to any costs or expenses.
- (d) Subject to section 50 of the Act, at a meeting of the **General** Committee mentioned in sub rule (b), the **General** Committee shall:
- i. give to the member mentioned in sub rule (a) an opportunity to make oral representation;
  - ii. give due consideration to any written representations submitted to the **General** Committee by that member at or prior to the meeting; and
  - iii. by resolution determine whether to confirm or to revoke the resolution of the **General** Committee made under sub rule (a).
- (e) Where the **General** Committee confers a resolution under sub rule (d), the Secretary shall within 7 days after that confirmation, by notice in writing inform the member of that confirmation and of the member's right of appeal under rule (15).
- (f) A resolution confirmed by the **General** Committee under sub rule (d) does not take effect:
- i. until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
  - ii. where within that period the member exercises the fight of appeal, unless and until the Club confirms the resolution in accordance with rule 15(d).

## 15. RIGHT OF APPEAL OF DISCIPLINED MEMBERS

- (a) A member may appeal to the Club in general meeting against a resolution of the **General** Committee which is confirmed under rule 14(d), within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- (b) Upon receipt of a notice under sub rule (a), the Secretary shall notify the **General** Committee, which shall convene a general meeting of the Club to be held within 21 days after the date on which the Secretary received the notice or as soon as possible after that date.
- (c) Subject to section 50 of the Act, at a general meeting of the Club convened under sub rule (b):
  - i. no business other than the question of the appeal shall be transacted;

- ii. the **General** Committee and the member shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
  - iii. the members present shall vote by secret ballot on the question of whether the resolution made under rule 14(d) shall be confirmed or revoked.
- (d) If the meeting passes a special resolution in favour of the confirmation of the resolution made under rule 14(d), that resolution is confirmed.
- (e) The appellant shall not be entitled to any costs or expenses associated with the appeal.

## 16. **GENERAL COMMITTEE**

The General Committee of the Club will consist of the Office Bearers, seven ordinary members and one Regional Representative from each State and Territory in which there is at least one affiliated club, each of whom must be elected or appointed in accordance with Rule 17.

## 17. **ELECTION OF GENERAL COMMITTEE MEMBERS**

- (a) Nomination of candidates for election as **members of the General Committee**:
- i. shall be made in writing on the prescribed form, signed by two Club members and accompanied by the written consent of the candidate endorsed on the form; and
  - ii. shall be delivered to the Club Secretary not less than seven days before the date fixed for the Annual General Meeting at which the election is to take place.
- (b) If insufficient nominations are received to fill all vacancies on the **General** Committee, the candidates nominated shall be deemed to be elected, and further written or oral nominations shall be received at the annual general meeting.
- (c) The election of **members of the General Committee** shall be by secret ballot if the number of nominations received exceeds the number of vacancies to be filled. Election to a contested **General** Committee position shall be by simple majority.
- (d) In the event of equality in the number of votes for the election of an office bearer, or for the last available position for an ordinary committee member, **or for a regional representative**, a re-ballot for the position shall take place. If equality of voting occurs in the re-ballot, this position shall be decided by lot.
- (e) All **General** Committee members shall be elected at the Annual General Meeting and shall hold office until the next succeeding Annual General Meeting.
- (f) **Regional Representatives can only be nominated and voted for by members from the State or Territory they will represent.**
- (g) **Vacancies on the General Committee may be filled temporarily by the General Committee until the next Annual General Meeting and such temporary General Committee members shall exercise all the rights and privileges of elected members. If the vacancy is of a Regional Representative it must be filled by a member resident in the relevant State or Territory.**

## 18. **THE DUTIES OF THE GENERAL COMMITTEE MEMBERS**

- (a) The President shall chair all **General** Committee and general meetings. The President shall when necessary speak on behalf of the organisations and before any Court or Government department, and shall present a report to the Annual General Meeting.
- (b) The Vice-President shall, in the absence of the President, act in his stead and shall, for this purpose, have all the rights, powers and duties and perform all the functions of the President.
- (c) If the President and Vice-President are absent, one of the remaining members of the **General** Committee may be chosen by the members present to preside.
- (d) The Secretary shall perform all the secretarial functions for the Club and in particular keep



and maintain:

- i. the roll of members;
  - ii. all correspondence records;
  - iii. minutes of proceedings of meetings of the **Executive Committee, General Committee and general meetings** of the Club;
  - iv. all necessary records of the affairs of the Club; and
  - v. a record of awards etc. made at all trials, etc. conducted by the Club.
- (e) The Treasurer of the Club shall
- i. collect and receive all moneys due to the Club and make all payments authorised by the Club; and
  - ii. keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.
- (f) Members of the **General** Committee shall perform such other duties as the Committee from time to time determines.
- (g) **The Executive Committee may** issue instructions to the Public Officer in matters of urgency connected with the management of the affairs of the Club during the intervals between meetings of the **General** Committee, and where any such instructions are issued shall report thereon to the next meeting of the **General** Committee for ratification.
- (h) A person is not eligible to hold simultaneously more than one position on the **General** Committee.
- (i) There shall be a **General** Committee meeting at least once in each two months. **All members of the General Committee will be invited to all meetings of the General Committee.** Minutes shall be taken of all the proceedings of the Committee and shall be open to inspection by Members upon application to the Secretary.
- (j) A quorum at a **General** Committee meeting shall be five **General** Committee members.
- (k) Voting at **General** Committee meetings:
- i. shall be by a show of hands. If the need arises a secret ballot may be held. A simple majority of **General** Committee members present shall be sufficient for any resolution, unless otherwise provided for by this Constitution;
  - ii. each member present at a meeting of the **General** Committee or of any Sub-Committee appointed by the **General** Committee (including the person presiding at the meeting) is entitled to 1 vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote;
  - iii. subject to rule 18(j), the **General** Committee may act notwithstanding any vacancy on the **General** Committee;
  - iv. any act or thing done or suffered, or purporting to have been done or suffered, by the **General** Committee or by a Sub-Committee appointed by the **General** Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the **General** Committee or Sub-Committee.

## 19. VACANCIES

For the purposes of these rules, a vacancy in the office of a member of the **General** Committee occurs if **either the office was not filled at the Annual General Meeting or if an elected** member:

- (a) dies;
- (b) becomes of unsound mind;
- (c) resigns the office by notice in writing to the Club;
- (d) becomes unfinancial as set out in the rules of membership;

- (e) is absent for three consecutive meetings without leave of absence;
- (f) becomes bankrupt or applies to take or takes advantage of any law relating bankrupt or insolvent debtors or compounds with the **General** Committee member's creditors; or
- (g) if a resolution declaring a **General** Committee member's office to be vacant is passed by three-quarters of the members present at a duly convened general meeting.

The **General** Committee shall continue to act notwithstanding any vacancies in its number.

## 20. REMOVAL OF **GENERAL** COMMITTEE MEMBERS

The Club in general meeting may by resolution, subject to section 50 of the Act, remove any member of the **General** Committee from the office of member of the **General** Committee before the expiration of the member's term of office.

## 21. POWERS OF THE **GENERAL** COMMITTEE

The business of the Club shall be managed by the **General** Committee, which shall have power, subject to any direction by a general meeting, to:

- (a) generally manage the affairs of the Club so as to carry out its objectives;
- (b) pay the charges and expenses incidental to the conduct and management of the Club;
- (c) borrow for the purpose of the Club, if necessary pledging security for any such borrowing;
- (d) set up Sub-Committees to deal with such matters as may be referred to them by the **General** Committee. All such Sub-Committees shall be chaired by a member of the Club appointed for that purpose by the **General** Committee. This chairperson shall report all relevant matters from the Sub-Committee back to the **General** Committee;
- (e)
  - i. interpret any question arising out of this Constitution;
  - ii. Interpret the Rules of the AFA.
- (f) bind the Club through signature of legal instruments. All such instruments to be signed by the President, and either the Secretary or Treasurer;
- (g) approve applications for membership;
- (h) make, amend, or repeal by-laws and regulations (not inconsistent with this Constitution) for the proper conduct of the Club's activities and the internal management of the Club;
- (i) shall appoint a member of the **General** Committee to be the Public Officer for the purpose of the Act. The Public Officer must be a resident of the Australian Capital Territory. The duly appointed Public Officer shall notify the Registrar of Incorporated Associations of the appointment within one month. Any change of residential address of the appointee shall likewise be notified to the Registrar within one month.

## 22. **GENERAL** MEETINGS OF THE CLUB

The **General** Committee may, whenever it thinks fit, convene a general meeting of the Club.

- (a) The general meeting of the Club shall be the controlling body of the Club.
- (b) The decisions of any general meeting of the Club shall be final and shall remain in force unless and until duly varied, mended or annulled at a subsequent general meeting.
- (c)
  - i. Subject to sub rule c (iii), upon any question arising at a general meeting of the Club a member (being an ordinary or life member) has one vote only.
  - ii. All votes shall be given in person at general meeting and or the annual general meeting of the Club or by electronic conferencing means
  - iii. In the case of an equality of votes on a question at a general meeting, the person

presiding is entitled to exercise a second or casting vote.

- (d) A requisition of members for a general meeting:
  - i. shall state the purpose or purposes of the **general** meeting;
  - ii. shall be signed by at least 10 (ten) financial members making the requisition;
  - iii. shall be lodged in writing with the Secretary; and
  - iv. may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.
- (e) If the **General** Committee fails to convene a general meeting within 1 (one) month after the date on which a requisition of members for the **general** meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a general meeting to be held not later than 3 (three) months after that date:
  - i. subject to sub rule (iii), upon any question arising at a general meeting of the Club a member (being an ordinary or life member) has one vote only;
  - ii. all votes shall be given in person at general meeting of the Club;
  - iii. in the case of an equality of votes on a question at a general meeting, the person presiding is entitled to exercise a second or casting vote.
- (f) A general meeting convened by a member or members referred to in sub rule (d), shall be convened as nearly as is practicable in the same manner as general meetings are convened by the **General** Committee. No other business other than that notified in the notice of the **general** meeting shall be transacted at such a **general** meeting.
- (g) Any member wishing to move a resolution at any general meeting shall give notice thereof in writing to the Secretary not less than 14 (fourteen) days before the date of such **general** meeting, provided that motions proposed within a shorter time than required by this rule, may be resolved if the general meeting so decides.
- (h) The quorum at any general meeting shall be 10 (ten) financial members. In the absence of a quorum the Chairman shall convene another general meeting, such **general** meeting to take place within two weeks. At such a **general** meeting resolutions may be passed notwithstanding the absence of the prescribed quorum.
- (i) **Voting at a general meeting will be conducted in accordance with Rule 23 - Voting.**

## 23. VOTING

- (a) No member shall be entitled to vote at any meeting unless they are over 16 years of age and all monies due to the Club shall have been paid.
- (b) **Except as specified to the contrary elsewhere in these Rules**, resolutions at all general meetings shall be carried by three quarters majority of those present **and** voting
- (c) Voting at all meetings shall be by show of hands, except in the case of election of **General** Committee members, when voting shall be by secret ballot.

## 24. ANNUAL GENERAL MEETING

There shall be an annual general meeting of the Club to be held within 60 days from the 1st July each year upon a date and time to be fixed by the **General** Committee. The annual general meeting shall inter alia:

- (a) confirm the minutes of the preceding annual general meeting and of any general meeting held since that meeting;
- (b) receive and consider the annual report of the President;
- (c) receive and consider a balance sheet and statement of accounts for the preceding financial year;
- (d) elect the incoming **General** Committee for the ensuing year;

- (e) decide on any resolution, which may be duly submitted to the meeting.

## 25. NOTICE

The Public Officer of the Club shall, at least 14 days before the date fixed for holding a general meeting of the Club cause to be inserted in a newspaper published daily in the Australian Capital Territory an advertisement specifying the place, day and time for the holding of the meeting and the nature of the business.

## 26. FINANCE

- (a) The financial year shall commence each year on the first day of July.
- (b) All ordinary members of the Club shall pay such joining fees and subscriptions as determined by the **General** Committee from time to time. Fees, other than the joining fee, shall be due and payable on the first day of July unless otherwise determined by the **General** Committee.
- (c) The Club shall have such bank accounts as the **General** Committee may determine. Cheques drawn on these accounts shall be signed by any two of the President, Secretary and Treasurer.

## 27. ANNUAL SUBSCRIPTIONS

The annual subscriptions for the following year shall be determined by the **General** Committee.

## 28. MEMBERS' LIABILITIES

The liability of a member to contribute towards the payment of the debts and liabilities of the Club or the costs, charges and expenses of the winding up of the Club is limited to the amount, if any, unpaid by the member in respect of membership of the Club as required by rule 26(b).

## 29. AUDITOR

- (a) The accounts of the Club shall be audited annually by a qualified accountant appointed by the **General** Committee. The auditor shall not be a member of the Club. The audit shall be carried out no earlier than one month before presentation of accounts to the annual general meeting.
- (b) The auditor shall be appointed by the **General** Committee at its first meeting and shall hold office until the next succeeding annual general meeting and is eligible for re-appointment, subject to rule 29(a).
- (c) In his report, and in certifying to the accounts, the auditor shall state:
  - i. whether he has obtained the information required by him;
  - ii. whether, in his opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Club according to the information at his disposal and the explanations given to him and as shown by the books of the Club;
  - iii. whether the rules relating to the administration of the funds of the Club have been observed.
- (d) The Public Officer of the Club shall cause to be delivered to the auditor a list of all accounts, books and records of the Club.

## 30. SEAL OF CLUB

- (a) The Seal of the Club shall be in the form of a rubber stamp, inscribed with the name of the Club encircling the word "Seal".
- (b) The Seal of the Club shall not be affixed to any instrument except by the authority of the **General Committee** and the affixing thereof shall be attested by the signatures either of two members of the Executive **Committee** or of one member of the **General** Committee and of

the Public Officer of the Club or such other person as the **General** Committee may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the **General** Committee.

(c) The Seal shall remain in the custody of the Public Officer.

### **31. CUSTODY OF BOOKS**

Subject to the Act, the Regulations and these rules, the Secretary shall keep in his or her custody or under his or her control all records, books, and other documents relating to the Club.

### **32. INSPECTION OF BOOKS**

(a) The records, books and other documents of the Club shall be open to inspection at a place in the Territory, free of charge, by a member of the Club at any reasonable hour.

(b) All information from AFA Inc. membership records should only be used for purposes that promote the interests of the Association. Confidentiality of members' personal details should be respected at all times by those viewing the records.

### **33. DISSOLUTION OF THE CLUB**

(a) The Club may dissolve at a general meeting called for that purpose by a resolution passed by a majority of three quarters of the members present and voting thereon.

(b) If upon the winding up or dissolution of the Club there remains, after satisfaction of all its debt and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Club but shall be given or transferred to some other Club having similar objectives to the Club and which prohibits the distribution of its income and property amongst its members to the extent at least as great as is imposed on the Club, such Club to be determined by the members of the Club at or before the time of dissolution, and in default thereof by such 'Judge of the Supreme Court of the Australian Capital Territory' as may have, or acquire jurisdiction in the matter.

### **34. CLAIMS AGAINST THE CLUB**

No member of the Club shall have any claim or right of action whatsoever against:

(a) the Club; or

(b) the **General** Committee of the Club or any members of that Committee; or

(c) any other Committees of the Club or any members of that Committees; or

(d) any employee, agent or member of the Club in respect of any act, matter or thing done or omitted to be done in good faith and purporting to be done in accordance with the Constitution.

