

The
CONSTITUTION
Of
COOLANGATTA SENIOR CITIZENS'
CENTRE INC.
AS REVISED - 2017

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Rules of

THE COOLANGATTA SENIOR CITIZENS CENTRE INC.

NAME

1. The name of the incorporated association is:

THE COOLANGATTA SENIOR CITIZENS CENTRE INC. ("the Association").

OBJECTS

2. The objects of the Association are:

- (a) To promote well-being and to encourage healthy, active ageing, to provide comfort to the sick and distressed and generally to assist in meeting the social, emotional and recreational needs of all senior citizens (including frail aged) in Coolangatta / Tweed and surrounding areas, and visitors.
- (b) To provide and maintain the facilities and the organisational structure necessary to enable the social and recreational pursuits of senior citizens.
- (c) To engage in any activities or purposes considered to be of benefit to older people and which may be deemed charitable in accordance with the law currently being in force.
- (d) To assist the work of other bodies and organisations which are engaged in achieving any or all of the above purposes.

POWERS

3. (1) The association has the powers of an individual.

(2) The association may, for example -

- (1) enter into contracts; and
- (2) acquire, hold, deal with and dispose of property; and
- (3) make charges for services and facilities it supplies;
- (4) do other things necessary or convenient to be done in carrying out its affairs

(3) The association may also issue secured and unsecured notes, debentures and debenture stock for the association.

CLASSES OF MEMBERS

4. (1) The membership of the Association shall consist of ordinary members and any of the following classes of members:-

- (a) Life Members;
- (b) Honorary Life Members;
- (c) Honorary Members; and
- (d) Associate Members.

(2) The number of ordinary members shall be unlimited.

(3) The number of associate members shall at no time exceed the total number of **ordinary memberships** of the association.

ORDINARY MEMBERS

5. Any person who:
- (1) is not less than sixty (60) years of age, or such age as the management committee may from time to time determine to be the minimum age of “senior citizens”; and
 - (2) is an Australian resident;
- Shall be eligible to apply for ordinary membership of the association.

LIFE MEMBERS

6. (1) To facilitate life memberships, the association may from time to time, at any general meeting, determine the fee to be paid by any member desiring to compound his annual subscriptions into a single, once only payment, and upon payment that person shall become a life member.

HONORARY LIFE MEMBERS

7. (1) Any ordinary member who in the opinion of the management committee has rendered valuable service to the association may at any general meeting of the association be elected an honorary life member;
- (2) No person shall be elected an honorary life member except on the recommendation of the management committee.

HONORARY MEMBERS

8. (1) Any person wishing to serve the association as a member of the management committee, and who is ineligible for ordinary membership of the association, shall be eligible to apply for honorary membership of the association during their period of office.
- (2) Honorary membership shall be relinquished immediately upon termination of office, regardless of the reason for termination.

ASSOCIATE MEMBERS

9. (1) Any person ineligible for ordinary membership of the association may apply for associate membership.
- (2) Associate members shall –
- (a) be ineligible to vote or hold office;
 - (b) not have the right to nominate other persons for membership of the association; but
 - (c) in all other respects shall have the rights, privileges, duties and responsibilities of Ordinary Members.

MEMBERSHIP APPLICATIONS

10. (1) An application for membership of the association must be proposed by one (1) ordinary member of the association (the “**proposer**”) and seconded by another ordinary member (the “**second**”).

- 2) An application for membership must be:
- (a) in writing; and
 - (b) signed by the applicant and the applicant's proposer and seconder; and
 - (c) in the form decided by the management committee.

MEMBERSHIP FEES

11. (1) The membership fee for each class of membership is the amount decided by the members from time to time at a general meeting; and
- (2) is payable when and in the way the management committee decides.

ADMISSION AND REJECTION OF MEMBERS

12. (1) The Management Committee must consider an application for membership at the next meeting of the committee held after it receives -
- (a) the application;
 - (b) the appropriate membership fee for the application.
- (2) The Management Committee must decide at the meeting whether to accept or reject the application.
- (3) If a majority of the Management Committee members present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member to the class of membership applied for.
- (4) The secretary 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.

TERMINATION OF MEMBERSHIP

13. (1) A member may resign from the association by giving a written notice of resignation to the secretary.
- (2) The resignation takes effect on:
- (a) the day and at the time the notice is received by the secretary; or
 - (b) if a later day is stated in the notice – the later day.
- (3) The management committee may terminate a member's membership if the member:
- (a) is convicted in a court of law of an indictable offence; or
 - (b) does not comply with any of the provisions of these rules; or
 - (c) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association.
- (4) Before the management committee terminates a member's 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 of the committee must give the member a written notice of the decision.

TERMINATION OF AN INDIVIDUAL'S ACCESS RIGHTS:

(Individual in the following Para 13A refers to a member or any other person)

- 13A.** (1) The Management Committee may terminate an individual's rights of access to the Centre if the individual:
- (a) Does not comply with any of the provisions of these rules;
 - or
 - (b) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association.
- (2) Before the Management Committee terminates an individual's rights of access, a written complaint must be lodged with the Secretary and the individual must be given a full and fair opportunity to show why his / her access should not be terminated.
- (3) If after considering all representations made by the individual concerned the Management Committee decides to terminate his / her access to the Centre, the Secretary shall give notice in writing that the individual is barred from entry onto the Centre's premises.
- (4) The decision of the Management Committee is final and no further discussion or correspondence will be entered into.

APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- 14.** (1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the persons intention to appeal against the decision.
- (2) A notice of intention to appeal must be given to the secretary within one (1) 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 three (3) months after the day of receipt, call a general meeting to decide the appeal.
- (4) At the 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.
- (5) Also, the management committee and the committee members who rejected the application or terminated the membership must be given an opportunity to show why the application should be rejected or the membership should be terminated.
- (6) An appeal must be decided by a vote of members present at the meeting.
- (7) If a person whose application has been rejected does not appeal against the decision within one (1) 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 application fee paid by the person.

REGISTER OF MEMBERS

- 15** (1) The management committee must keep a register of members.
- (2) The register of members must include the following particulars for each member:
- (a) the full name, date of birth, residential address and if applicable postal address and telephone number of each member;
 - (b) the date of admission as a member;
 - (c) details about the termination or reinstatement of membership; and

- (d) any other particulars the management committee or the members at a general meeting may decide.
- (3) The register must be open for inspection at all reasonable times.
- (4) However, before a member may inspect the register, the member must apply to the secretary to inspect it.

PATRONS

- 16** (1) The management committee shall have the right to appoint up to two (2) patrons for the purposes of furthering the associations objectives, subject to sub-clause (3);
- (2) Patrons may, but need not be members of the association;
 - (3) The management committee may appoint and remove the association's patrons at any time, pending approval by the members at the next general meeting.

SECRETARY

- 17.** (1) If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the association within one (1) month after the vacancy happens.
- (2) The secretary must be an individual residing in Queensland, or in another State but not more than 65 km from the Queensland border, who is:
- (a) a member of the association elected by the association as secretary; or
 - (b) any of the following persons appointed by the management committee:
 - (1) a member of the associations management committee;
 - (2) a member of the association; or
 - (3) another person
 - (4) The management committee may appoint and remove the association's secretary at any time.
- (3) **Minutes**
- (a) the secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting and general meeting are entered in a minute book; and
 - (b) the secretary must ensure the minute book for each general meeting is open for inspection at all reasonable times by any member who previously applies to the secretary for the inspection.
 - (c) To ensure the accuracy of the minutes recorded under section 17, subsection (3) (a)
 - (i) 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; and
 - (ii) the minutes of each general or annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general or annual general meeting, verifying their accuracy.

MEMBERSHIP OF MANAGEMENT COMMITTEE

18. (1) The management committee of the association consists of a president, two (2) vice presidents, secretary, treasurer and six (6) non office bearers (directors), that the association members elect or appoint at a general meeting.
- (2) A member of the management committee, other than the secretary, must be a member of the association.
- (3) At each annual general meeting of the Association, the members of the Management Committee must retire from office, but are eligible on nomination, for re-election.
- ~~(4) The president however, is restricted to serving a maximum of three (3) continuous terms in office and must not renominate for a fourth (4th) term.~~
- * As amended AGM 29/06/2011
- (4.) **The president however, is restricted to serving a maximum of three (3) continuous terms in office and must not renominate for a fourth (4th) term.**
- * As amended AGM 21/06/2017

ELECTING THE MANAGEMENT COMMITTEE

19. (1) A member of the management committee may only be elected as follows:
- (a) any two (2) members of the association 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 him or her; 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 at the annual general meeting may vote for any number of candidates not more than the number of vacancies;
 - (d) if at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- (1) A list of the candidate's 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 of the association for at least seven (7) days immediately preceding the annual general meeting.
- (2) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

RESIGNATION OR REMOVAL FROM OFFICE OF MANAGEMENT COMMITTEE MEMBER

20. (1) A management committee member may resign from the committee by giving written notice of resignation to the secretary.
- (2) The resignation takes effect on:
- (a) the day and at the time the notice is received by the secretary; or
 - (b) if a later day is stated in the notice – the later day.
- (3) A member may be removed from office at a general meeting of the association if a majority of the members present at the meeting vote in favour of removing the member;

- (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 he or she should not be removed from office;
- (5) A member has no right of appeal against the member's removal from office under this section.
- (6) The Management Committee may declare vacant, the seat of any Management Committee Member who is absent from three (3) consecutive management committee meetings without leave of the management committee.

VACANCIES ON THE MANAGEMENT COMMITTEE

21. (1) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the association to fill the vacancy until the next annual general meeting.
- (2) The continuing members of the management committee may act despite a casual vacancy on the management committee.
 - (3) However, if the number of committee members is less than the number fixed under these rules as a quorum of the management committee [Section 23 subsection (4)], 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.

FUNCTIONS OF THE MANAGEMENT COMMITTEE

22. (1) Subject to these rules or a resolution of the association members carried at a general meeting, the management committee -
- (a) has the general control and management of the administration of the affairs, property and funds of the Association; and
 - (b) has authority to interpret the meaning of these Rules and any matter relating to the Association on which the rules are silent.
- (2) The Management Committee may exercise the powers of the Association-
- (a) to borrow or raise or secure the payment of amounts in a way the association members decide; and
 - (b) to secure the amounts mentioned in paragraph (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 amount borrowed; and
 - (e) to accept subscriptions, gifts and donations; and
 - (f) to make donations for charitable or community purposes;
 - (g) to mortgage or charge the whole or part of its property; and
 - (h) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association; and
 - (i) to provide and pay off any securities issued; and

- (j) to invest in a way the members of the association may from time to time decide; and
- (3) For sub-section (2) (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 one (1) financial institution for the association – the financial institution nominated by the association.

MEETINGS OF MANAGEMENT COMMITTEE

- (1) **23.** (1) The Management Committee shall meet at least once every two months to exercise its functions or more often if considered necessary; and
 - (a) a record of committee members present at each meeting shall be entered into the minutes.
- (2) If the secretary receives a written request signed by the president, either of the vice-presidents or at least one-third ($\frac{1}{3}$) of the management committee members, the secretary must call a special meeting of the committee.
 - (a) A request for a special meeting must state –
 - (b) why the special meeting is being called; and
- (3) the business to be conducted at the meeting.

(4) Quorum

At a management committee meeting, more than 50% of the members elected or appointed to the committee as at the close of the last general meeting of the members form a quorum.

- (5) A question arising at a committee meeting is to be decided by a majority vote of the committee members present at the meeting and, if the votes are equal, the question is decided in the negative.
- (6) A management committee member 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.
- (7) The secretary must give each management committee member at least fourteen (14) days notice of a special meeting of the committee.
- (8) 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.
- (9) The president or, if there is no president or if the president is not present within ten (10) minutes after the time fixed for a management committee meeting, a vice president is to preside as chairperson of the meeting.
- (10) If the president and both vice presidents are absent from the management committee meeting, the members may choose one (1) of their number to preside as chairperson at the meeting.
- (11) If a quorum is not present within thirty (30) minutes after the time fixed for a special management committee meeting called on the request of the president, a vice president or a third ($\frac{1}{3}$) of the committee members, the meeting lapses.
- (12) If a quorum is not present within thirty (30) minutes after the time fixed for a regular management committee meeting, the meeting is to be adjourned to:-
 - (a) the same day, time and place in the next week; or
 - (b) a day, time and place decided by the committee.

- (13) If, at the adjourned meeting mentioned in sub section (12), a quorum is not present within thirty (30) minutes after the time fixed for the meeting, the meeting lapses.

DELEGATION OF MANAGEMENT COMMITTEE POWERS

24. (1) The management committee may delegate the whole or part of its powers to a subcommittee consisting of the association members considered appropriate by the committee.
- (2) A subcommittee may only exercise delegated powers in the way the management committee decides.
- (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 (1) 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 at the meeting and, if the votes are equal, the question is decided in the negative.

ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

25. (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) Subsection (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.

RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING

26. (1) A written resolution signed by each member of the management committee for the time being entitled to receive notice of a committee meeting is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.
- (2) A resolution mentioned in subsection one (1) may consist of several documents in like form, each signed by one (1) or more members of the committee.

ANNUAL GENERAL MEETINGS

27. (1) The annual general meeting shall be held in the month of June in each year on a date to be decided by the Management Committee.

BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETINGS

28. The following business must be conducted at each annual general meeting:-
- (a) receive the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the association for the last financial year;
- (b) receiving the auditor's report on the financial affairs of the association for the last financial year;
- (c) presenting the audited statement to the meeting for adoption;
- (d) electing the members of the management committee;
- (e) appointing an auditor.

SPECIAL GENERAL MEETINGS

29. (1) The secretary may only call a special general meeting by giving each member notice of the meeting within fourteen (14) days after:-
- (a) being directed to call the meeting by the management committee; or
 - (b) being given a written request signed by:-
 - (k) at least one third (⅓) of the members of the association presently on the management committee; or
 - (ii) at least the number of ordinary members of the association equal to double the number of members of the association presently on the management committee 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 persons membership.
- (2) A request mentioned in subsection (1) (b) must state:-
- (a) why the special general meeting is being called; and
 - (b) the business to be conducted at the meeting.

NOTICE OF GENERAL MEETING

30. (1) The secretary may call a general meeting of the association.
- (2) The secretary must give at least fourteen (14) days notice of the meeting to each association member.
- (3) The management committee may decide the way in which the notice must be given.
- (4) However, notice of the following meetings must be given in writing:-
- (a) a meeting called to hear and decide the appeal of a member against the rejection or termination of the member's membership by the management committee; or
 - (b) a meeting called to hear and decide a proposed special resolution of the association.
- (5) A notice of a general meeting must state the business to be conducted at the meeting.

QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETINGS

31. (1) Subject to subsection (5), at a general meeting the number of members equal to double the number of members of the association presently on the management committee plus one (1) form a quorum.
- (2) No business may be conducted at a general meeting unless a quorum of members is present when the meeting proceeds to business.
- (3) If a quorum is not present within thirty (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.
- (4) If a quorum is not present within thirty (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, the meeting is to be adjourned to:-

- (a) the same day, time and place in the next week; or
- (b) a day, time and place decided by the management committee.
- (5) If at an adjourned meeting, a quorum under subsection (1) is not present within thirty (30) minutes after the time fixed for the meeting, the members present form a quorum.
- (6) The chairperson may, with the consent of any meeting at which a quorum is present, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (7) If a meeting is adjourned under subsection (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (8) 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 thirty (30) days.
- (9) If a meeting is adjourned for at least thirty (30) days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.
- (10) ~~In this rule:—“member” includes a person attending as a proxy.*~~

*** As amended SGM 03/09/2012**

PROCEDURE AT GENERAL MEETINGS

- 32. (1)** Subject to these rules, at each general meeting:-
- (a) the president or, 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 vice president is to preside as chairperson; and
 - (b) if the vice president is absent or unwilling to act as chairperson, 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; and
 - (d) each question, matter or resolution must be decided by a majority of votes of the members present; and
 - (e) each member present and entitled to vote is entitled to one (1) vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote; and
 - (f) 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; and
 - (g) voting may be by a show of hands or a division of members, unless at least 20% of the members present demand a secret ballot; and
 - (h) if a secret ballot is held, the chairperson must appoint two (2) members to conduct the secret ballot in the way the chairperson decides; and
 - (i) 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; and
 - ~~(j) a member may vote in person or by proxy or by attorney and:-~~
 - ~~(i) on a show of hands, each person present who is a member or a representative of a member has one (1) vote; and~~
 - ~~(ii) in a secret ballot, each member present in person or by proxy or by attorney or other properly authorised representative has one (1) vote; and~~
 - ~~(k) an instrument appointing a proxy must be in writing; and~~

- (i) if the appointer is an individual — signed by the appointer or the appointer's attorney properly authorised in writing; or
- (l) a proxy may be a member of the association or another person; and
- (m) the instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot; and
- (n) if someone wants to give a member an opportunity to vote for or against a resolution, the instrument appointing a proxy must be in the following or like form:-

- **As amended SGM 03/09/2012**

_____ *COOLANGATTA SENIOR CITIZENS CENTRE INC.
_____ **PROXY FORM**

I of, being an
— ordinary member / life member / honorary life member / honorary member of the
abovenamed 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 20.....
_____ and at any adjournment of the meeting.

Signed this day of 20.....
_____ Signature

_____ *in favour of

— This form is to be used _____ the resolution.

_____ *against

* Strike out whichever is not wanted. (Unless otherwise instructed the proxy may vote as the proxy considers appropriate.) and

- (o) 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.

- **As amended SGM 03/09/2012**

BY-LAWS

33. (1) The Management Committee may make, amend or repeal by-laws, not inconsistent 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 of the association.

ALTERATION OF RULES

34. (1) Subject to the Associations Incorporation Act 1981, these Rules may be amended, rescinded or added to by a special resolution carried at a general meeting:
(2) However an amendment, repeal or addition is valid only if it is registered by the chief executive.

COMMON SEAL

35. (1) The management committee must ensure the association has a common seal.
(2) The common seal must be:-
(a) kept securely by the management committee; and
(b) used only under the authority of the management committee.
(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 appointed by the management committee.

FUNDS AND ACCOUNTS

36. (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.
(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 the receipt.
(4) All amounts of \$300 or more must be paid by cheque* **accounts may be paid by electronic banking, credit card or cheque.** The cheque must be signed by any two (2) of the following:-
(a) the president;
(b) either vice president;
(c) the treasurer;
~~(d) the bingo coordinator*~~
(e) another member* person authorised by the management committee for the purpose.

***As amended AGM 21/06/2017**

- (5) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed 'not negotiable'.
(6) A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
(7) All expenditure must be approved or ratified at a management committee meeting.
(8) The treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared:-

- (a) the income and expenditure for the financial year just ended;
 - (b) the associations assets and liabilities at the close of the year;
 - (c) the mortgages, charges and securities affecting the property of the association at the close of the year.
- (9) The auditor must examine the statement prepared under subsection (8) and present a report about it to the secretary before the next annual general meeting following the financial year for which the audit was made.
- (10) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

DOCUMENTS

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

FINANCIAL YEAR

38. The financial year of the association closes on the 31st March in each year.

DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

39. (1) This section applies if the association:-
- (a) is wound-up under part 10 of the act (Winding Up); and
 - (b) it has surplus assets.
- (2) The surplus assets must not be distributed among the association members.
- (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 section:-
"surplus assets" has the meaning given by section 92(3) of the act.
(Distribution of Surplus Assets)
- (5)* **"If the Association is wound up or its endorsement as a deductible gift recipient is revoked (whichever occurs first), any surplus of the following assets shall be transferred to another organisation with similar objectives and which is charitable at law and to which income tax deductible gifts can be made.**
- (a) gifts of money or property for the principal purpose of the Association;
 - (b) contributions made in relation to an eligible fundraising event held for the principal purpose of the Association;
 - (c) money received by the Association because of such gifts and contributions."

*as amended AGM 21/06/2017