

**NUNAWADING SWIMMING CLUB INCORPORATED
STATEMENT OF PURPOSES AND RULES**

1. **NAME:** The name of the incorporated club is "NUNAWADING SWIMMING CLUB INCORPORATED" herein referred to as the "CLUB".

2. INTERPRETATIONS:

- [1] In these Rules, unless the contrary intention appears:-
"Board" means the Board of Management of the Club as defined in Rule 20.
"D.R.D.S.A." also known as Metro East
"Financial Year" means the year ending on the 31st of March.
"SAL" means Swimming Australia Limited.
"Swimming Year" means the year ending on the 30th of April.
"Special General Meeting" means a general meeting of the members convened in accordance with Rule 10.
"SV" means Swimming Victoria Inc or its successor being the peak body for the administration of natatorial activities in Victoria.
"Member" means a member of the Club.
"The Act" means the Associations Incorporated Act, 1981.
"The Regulations" means regulations under the Act.
- [2] In these Rules, a reference to the Secretary of the Club is a reference to:-
(a) if a person holds office under these Rules as Secretary of the Club - to that person; and
(b) in any other case, to the Public Officer of the Club.
- [3] Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the Act as in force from time to time.

3. STATEMENT OF PURPOSES / OBJECTIVES:

- [1] To be the most recognised and well regarded swimming club in Australia as a leader and innovator in learn to swim and competitive swimming
- [2] To promote, encourage and give instruction in the sport of swimming for the benefit of Members and the development of swimming.
- [3] Promote and conduct from time to time - championships, competitions, carnivals and other activities deemed expedient to the welfare of the Club, its purposes and its members.
- [4] Promote the economic and sporting success, strength and stability of the Club and its Members.
- [5] Pursue commercial arrangements including sponsorship and marketing opportunities as deemed appropriate for the Club and its Members.
- [6] Promote cultural, social, sporting and recreational activities.
- [7] The club shall formulate or adopt and implement appropriate policies, including in relation to harassment, discrimination, equal opportunity, equity, drugs in sport, health, safety, junior and senior programs and such other matters as arise from time to time as issues to be addressed in swimming.
- [8] The club shall adopt the SAL Member Welfare Policy and the SAL Child Welfare Policy, (as amended from time to time), and to comply with their requirements.
- [9] The club shall affiliate with:-
(a) SV, or any other body that succeeds that body.
(b) The Dandenong Ranges and District Swimming Association here-in-under referred to as the "D.R.D.S.A." (or any other body that succeeds that body).
(c) Any other district swimming organisation to which the Club may be assigned to by SV.
(d) Any other sporting body, association and/or organisation as may be deemed expedient.

- [10] At all times act in good faith and loyalty on behalf of the Members to ensure the maintenance and enhancement of the Club and swimming, its standards, quality and reputation for the collective and mutual benefit of all members and swimming.
- [11] Ensure compliance with the rules and by-laws as amended from time to time by SV.
- [12] Do all that is reasonably necessary to enable these objectives to be achieved and to enable the Members to receive the benefits which these objects are intended to achieve.

4. MEMBERSHIP & SUBSCRIPTIONS.

- [1] A person who applies for and is approved for membership as provided in these Rules is eligible to be a member of the Club on payment of the annual subscription payable under these Rules.
- [2] All members must be registered with SV each year.
- [3] Membership categories shall be:-
 - (a) Life membership – members may be granted honorary life membership after completing 10 years outstanding service to the Club.
 - (b) Senior membership - members 16 years of age and over.
 - (c) Junior membership - members under 16 years of age.
 - (d) Provisional membership - members who have not completed one full year of membership.
- [4] A person who is not a member of the Club at the time of the incorporation of the Club (or who was such a member at the time but has ceased to be a member) shall not be admitted to membership unless
 - (a) he or she applies for membership in accordance with sub-rule 4
 - (b) the admission as a member is approved by the board.
- [5] An application from a person for membership of the Club must:-
 - (a) be made by using the on-line membership system offered by Swimming Victoria;
 - (b) be accompanied by the appropriate fee; and
 - (c) be submitted by the applicant thereby acknowledging they are bound by the rules of the Club, SV, Swimming Australia and FINA for the time being in force.
- [6] As soon as practicable after the receipt of the application, the Secretary shall refer the application to the Board.
- [7] The Board shall determine whether to approve or reject the application.
- [8] If the Board approves or rejects an application for membership, the Secretary must, as soon as practicable notify the applicant in writing.
- [9] The Secretary must make the member active on the On-line membership System thereby entering the applicant's name in the Register of Members and upon the name being so entered, the applicant becomes a provisional member of the Club.
- [10] Any member who has completed his/her provisional membership will be forwarded a renewal notice and a request for payment of membership in subsequent years.
- [11] Any member who fails to renew or pay his/her subscription within the month of May, may have his/her name removed from the Register of Members.
- [12] A right, privilege or obligation of a person by reason of his/her membership of the Club:-
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon the cessation of his/her membership whether by death or resignation or otherwise.
- [13] The annual subscription shall be:-
The Club component as determined by the Board at the March or April meeting, plus any SAL, SV and D.R.D.S.A levies.
- [14] The total annual subscription payable by a family with 3 or more members shall be discounted as follows:

3 immediate family members	5 % discount to total
4 immediate family members	10 % discount to total
5 immediate family members	15 % discount to total

5. REGISTER OF MEMBERS:

- [1] The Secretary must keep and maintain a register of members containing –
 - (a) the name and address of each member: and
 - (b) the date in which each member's name was entered in the register
- [2] The register is available for inspection by any member upon written request to the Board for the purpose of calling a special general meeting.

6. CEASING MEMBERSHIP:

- [1] A member of the Club who has paid all monies due and payable by a member of the Club may resign from the Club by giving one month's writing of his/her intention to resign.
- [2] A member may transfer to another club during his/her currency of registration provided all obligations financial and otherwise have been discharged to the Club. The member shall make application on the SV transfer form.
- [3] After meeting the conditions referred to in sub-rule [1 & 2]
 - (a) the member ceases to be a member: and
 - (b) the Secretary must record in the register of members the date on which that member ceased to be a member.

7. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS:

- [1] Subject to these rules, if the Board is of the opinion that a member has refused or neglected to comply with these rules, or has been guilty of conduct unbecoming a member or prejudicial to the interest of the Club, the Board may by resolution-
 - (a) fine that member an amount not exceeding \$500; or
 - (b) suspend that member from membership of the Club for a specified period; or
 - (c) expel that member from the Club.
- [2] A resolution of the Board under sub-rule [1] does not take effect unless-
 - (a) at a meeting held in accordance with sub-rule [3], the Board confirms the resolution; and
 - (b) if the member exercises a right of appeal to the Club under this rule, the Club confirms the resolution in accordance with this rule.
- [3] A meeting of the Board to confirm or revoke a resolution passed under sub-rule [1] must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with sub-rule [4].
- [4] For the purpose of giving notice in accordance with sub-rule [3], the Secretary must, as soon as practicable, cause to be given to the member a written notice-
 - (a) setting out the resolution of the Board and the grounds on which it is based; and
 - (b) stating that the member, or his or her representative, may address the Board at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that member; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that he or she may do one or both of the following-
 - [i] attend that meeting;
 - [ii] give to the Board before the date of that meeting a written statement seeking the revocation of the resolution;
 - (e) informing the member that, if at that meeting, the Board confirms the resolution, he or she may not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Club in a general meeting against the resolution.
- [5] At a meeting of the committee to confirm or revoke a resolution passed under sub-rule [1], the Board must-
 - (a) give the member, or his or her representative, an opportunity to be heard; and
 - (b) give due consideration to any written statement submitted by the member; and
 - (c) determine by resolution whether to confirm or revoke the resolution.
- [6] If at the meeting of the Board, the Board confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Club in a general meeting against the resolution.

- [7] If the Secretary receives a notice under sub-rule [6], he or she must notify the Board and the Board must convene a general meeting of the Club to be held within 21 days after the date on which the Secretary received the notice.
- [8] At a general meeting of the Club convened under sub-rule [7]-
- (a) no business other than the question of the appeal may be conducted; and
 - (b) the Board may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
 - (c) the member, or his or her representative, must be given an opportunity to be heard; and
 - (d) the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked
- [9] A resolution is confirmed if, at the general meeting, not less than 60% of the members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked. Members entitled to vote at a general meeting shall be those defined in rule 4 [2] categories [a] and [b].

8. DISPUTES AND MEDIATION

- [1] The grievance procedure set out in this rule applies to disputes under these Rules between-
- (a) a member and another member; or
 - (b) a member and the Club
- [2] The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all the parties.
- [3] If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- [4] The mediator must be-
- (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement-
 - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Club; or
 - (ii) in the case of a dispute between a member and the Club, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria [Department of Justice].
- [5] A member of the Club can be a mediator.
- [6] The mediator cannot be a member who is party to the dispute.
- [7] The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- [8] The mediator, in conducting the mediation, must-
- (a) give parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process
- [9] The mediator must not determine the dispute.
- [10] If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.

9. ANNUAL GENERAL MEETING:

- [1] The Board shall determine the date, time and place of the Annual General Meeting of the Club. This Annual General Meeting shall be held during the month of May.
- [2] The notice convening the Annual General Meeting must specify that the meeting is an Annual General Meeting.
- [3] The ordinary business of the Annual General Meeting shall be:-
 - (a) to confirm the minutes of the previous Annual General Meeting and of any General Meeting held since that meeting; and
 - (b) to receive reports upon transactions of the Club during the last preceding financial year; and
 - (c) to elect the officers of the Board of Management and the members of the Swim Committee; and
 - (d) to receive and consider the financial statements submitted by the Club in accordance with Section 30(3) of the Act.
- [4] The Annual General Meeting may conduct any special business of which notice has been given in accordance with these Rules.

10. SPECIAL GENERAL MEETING:

- [1] In addition to the Annual General Meeting, any other General Meeting may be held in the same year.
- [2] All general meetings other than the Annual General Meeting are Special General Meetings.
- [3] The Board may, whenever it thinks fit, convene a Special General Meeting of the Club.
- [4] If, but for this sub-rule, more than 15 months would elapse between Annual General Meetings, the Board must convene a Special General Meeting before the expiration of that period.
- [5] The Board must, on the request in writing of members representing not less than 15% of the total number of members eligible to vote, convene a Special General Meeting of the Club.
- [6] The request for a Special General Meeting must;
 - (a) state the objects of the meeting; and
 - (b) be signed by the members requesting the meeting; and
 - (c) be sent to the address of the Secretary.
- [7] If the Board does not cause a Special General Meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the members making the request, or any of them, may convene a Special General Meeting to be held not later than 3 months after that date.
- [8] If a Special General Meeting is convened by members in accordance with rule 10[7], it must be convened by the Board and all reasonable expenses incurred in convening this Special General Meeting be refunded by the Club to the persons incurring the expenses

11. SPECIAL BUSINESS

All business that is conducted at a Special General Meeting and all business that is conducted at the Annual General Meeting, except for business conducted under the rules as ordinary business of the Annual General Meeting, is deemed to be Special Business.

12. NOTICE OF GENERAL MEETINGS:

- [1] The Secretary of the Club, will at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a General Meeting of the Club, must cause to be sent to each member of the club, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.

- [2] Notice may be sent-
 - (a) by prepaid post to the address appearing in the register of members; or
 - (b) if the member requests, by facsimile transmission or electronic transmissions.
- [3] No business other than that set out in the notice convening the meeting shall be conducted at the meeting.
- [4] A member intending to bring any business before a meeting must notify, in writing, or by electronic transmission, the Secretary of that business at least 24 hours before the meeting. The Secretary must include that business in the notice calling the next general meeting.

13. QUORUM AT GENERAL MEETINGS:

- [1] No items of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- [2] 20% of the members must be present [being members entitled under these rules to vote at a general meeting] to constitute a quorum for the conduct of the business of a general meeting.
- [3] If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present;
 - (a) in the case of a meeting convened upon the request of members the meeting must be dissolved; and
 - (b) in any other case – the meeting shall stand adjourned to the same day in the next week at the same time and [unless another place is specified by the chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned] at the same place.
- [4] If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present [being not less than 10%] shall be a quorum.

14. PRESIDING AT GENERAL MEETINGS

- [1] The President, or in the President's absence, a Vice-President, shall preside as Chairperson at each General Meeting of the Club.
- [2] If the President and Vice-Presidents are absent from the General Meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.

15. ADJOURNMENT OF MEETINGS.

- [1] The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- [2] No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- [3] If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 12.
- [4] Except as provided in rule 13, it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

16. VOTING AT GENERAL MEETINGS.

- [1] Members entitled to vote at a general meeting shall be those defined in rule 4 [3] categories [a] and [b].
- [2] Upon any question arising of the general meeting of the Club, a member has one vote only.
- [3] All votes must be given personally or by proxy.

- [4] In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a casting vote.
- [5] A member is not entitled to vote at a general meeting unless all monies due and payable by the member to the Club have been paid, other than the amount shown as current on the member's monthly tax invoice statement.

17. POLL AT GENERAL MEETINGS

- [1] If at a general meeting a poll on any question is demanded by not less than 50% of members, it must be taken at that meeting in such a manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- [2] A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

18. MANNER OF DETERMINING WHETHER RESOLUTION CARRIED

If a question arising at a general meeting of the Club is determined on a show of hands:-

- [a] A declaration by the Chairperson that a resolution has been-
 - (i) carried; or
 - (ii) carried unanimously; or
 - (iii) carried by a particular majority; or
 - (iv) lost; and

An entry to that effect in the minute book of the Club is evident of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

19. PROXIES:

- [1] Each member is entitled to appoint another member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed
- [2] The notice appointing the proxy must be-
 - (a) for a meeting of the Club convened under rule 7[7], 9[1] and 10[3] in the form set out in Appendix 1

20. BOARD OF MANAGEMENT:

- [1] The affairs of the Club shall be managed by the Board of Management.
- [2] The Board will comprise no more than 7 persons being 5 Elected Officers of the Club elected under clause 21 ("Office Holders - Elected Officers") and clause 22 ("Election of Elected Officers") and up to 2 Appointed Officers under clause 23 ("Appointment of Appointed Officers").
- [3] Elected and Appointed Officers have equal voting rights at Board meetings.
- [4] All members of the Board must be members of the Club
 - (a) at nomination for elected officers or;
 - (b) at appointment for appointed officers.
- [5] The Board of Management-
 - (a) shall control and manage the business and affairs of the Club; and
 - (b) may, subject to these rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Club; and
 - (c) subject to these Rules, the Act and Regulations, has power to perform all such acts and things as appear to the Board of Management to be essential for the proper management of the business and affairs of the Club; and
 - (d) shall appoint the Public Officer at the first meeting following the Annual General Meeting each year.
 - (e) shall appoint the Grievance Officer at the first meeting following the Annual General Meeting each year.

- [6] Employees of the Club are not entitled to be nominated for or elected to a position on the Board.
- [7] Any Board member that obtains employment with the Club during their term of office must resign their position on the Board before commencing employment.

21. OFFICE HOLDERS: ELECTED OFFICERS

- [1] The five elected officers of the Club shall be-
 - (a) a President;
 - (b) 2 Vice-Presidents;
 - (c) a Treasurer; and
 - (d) a Secretary.
- [2] Each 'Elected Officer' of the Club shall be elected at the annual general meeting of the Club in each year.
- [3] Each officer of the Club shall hold office until the annual general meeting next after the date of his or her election but is eligible for re-election except for in the rule 24 and rule 30 sub-rule 1.
- [4] In the event of a casual vacancy in any office referred to in rule 23 sub-rule [1], the Board of Management may appoint one of it's members to the vacant office and the member appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.

22. ELECTION OF ELECTED OFFICERS:

- [1] Nominations of candidates for election of Board members of the Club must be-
 - (a) made in writing, signed by two members of the Club and accompanied by the written consent of the candidate which may be endorsed on the form of nomination [refer appendix 2]; and
 - (b) delivered to the Secretary of the Club not less than 7 days before the date fixed for the holding of the annual general meeting.
- [2] If insufficient nominations are received to fill all vacancies on the Board of Management the candidates nominated shall be deemed elected and further nominations may be received for the remaining vacant positions at the annual general meeting.
- [3] If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed elected.
- [4] If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- [5] The ballot for the election of Board members must be conducted at the annual general meeting in such manner as the Board may direct.

23. APPOINTMENT OF APPOINTED OFFICERS:

- [1] The Board may appoint up to two 'Appointed Officers'.
- [2] Appointed Officers must become a member of the club, if they are not already, at the time of their appointment.
- [2] Appointed Officers may have specific skills and should (but need not) have some experience in or exposure to swimming.
- [3] Appointed Officers shall remain in office for the period up until the next Annual General Meeting.
- [4] An Appointed Officer may upon the expiration of his / her term of office may be re-appointed for a further term.

24. VACANCIES:

The office of a Board member of the Club becomes vacant if the Board Member-

- (a) ceases to be a member of the club; or
- (b) becomes bankrupt under administration within the meaning of Corporations Law; or
- (c) resigns from office by notice in writing given to the Secretary.

25. MEETINGS OF THE BOARD:

- [1] The Board shall meet once each calendar month at such place and such times as the committees may determine.
- [2] Other meetings of the Board as may be necessary from time to time are convened by the President.

26. NOTICE OF BOARD MEETINGS:

- [1] Notice of each Board meeting must be given to each member of the Board at least 2 business days before the date of the meeting.
- [2] Notice must be given to members of the Board of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such meeting.

27. QUORUM FOR BOARD MEETINGS:

- [1] If the Board has
 - (a) 5 members, any 3 members constitute a quorum for the conduct of the business of a meeting of the Board.
 - (b) 6 or 7 members, any 4 members constitute a quorum for the conduct of the business of a meeting of the Board.
- [2] No business may be conducted unless a quorum is present.
- [3] If within half of hour of the time appointed for the meeting a quorum is not present-
 - (a) in case of a special meeting- the meeting lapses;
 - (b) in any other case- the meeting shall stand adjourned to the same place and the same time and day in the following week.
- [4] The Board may act notwithstanding any vacancy on the committee.

28. PRESIDING AT BOARD MEETINGS:

At a meeting of the Board-

- [1] the President shall preside over the meeting, however if the President is absent, or unable to preside, the members present must choose one of their members to preside.

29. VOTING AT BOARD MEETINGS:

- [1] Questions arising at a meeting of the Board shall be determined on a show of hands or, if a member requests, by a poll taken in such a manner as the person presiding at that meeting may determine.
- [2] Each member present at a meeting of the Board [including the member presiding at the meeting] is entitled to one vote and in the event of an equality of votes on any question the person presiding may exercise a second casting vote.

30. REMOVAL OF A MEMBER OF THE BOARD:

- [1] The Club in a General Meeting may by resolution remove any Elected Officer of the Board before the expiration of his/her term of office and appoint another member in his/her place to hold office until the expiration of the term of the first mentioned member.

- [2] A member who is the subject of a proposed resolution referred to in sub-rule [1] may make representations in writing to the Secretary or President of the Club and may request that the representations be provided to the members of the Club.
- [3] The Secretary or the President may give a copy of the representations to each member of the Club or, if they are not so sent, the member who is the subject of a proposed resolution referred to in sub rule [1], may require that they be read out in the meeting.
- [4] The Elected Officers of the Board may resolve to remove an Appointed Officer of the Board before the expiration of his/her term of office and may appoint another Officer in his/her place to hold office until the expiration of the term of the first mentioned Officer.

31. MINUTES OF MEETINGS:

- [1] The Secretary of the Club must keep minutes of the resolutions and proceedings of each general meeting, and each Board meeting, together with a record of the names of persons present at these meetings.

32. FUNDS:

- [1] The Treasurer of the Club is responsible to-
 - (a) collect and receive all moneys due to the Club and make all payments authorised by the Club; and
 - (b) keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditures connected with activities of the Club.
 - (c) ensure all monies received are to be deposited into the nominated Club bank account within the specified period of time.
- [2] All cheques and other negotiable instruments must be signed by 2 of 3 Board authorised persons.
- [3] The funds of the Club shall be derived from swimming pool entry fees, annual membership subscriptions, squad training fees, merchandise sales, social activities, raffles, donations, swim school business conducted under the trading name 'Just Swimming' and such other sources as the Board determines.

33. SEAL:

- [1] The Common Seal of the Club shall be kept in the custody of the Secretary.
- [2] The Common Seal; shall not be affixed to any instrument except by the authority of the Board and the affixing of the Common Seal shall be attested by the signatures either of 2 members of the Board or 1 of the Board and of the Public Officer of the Club.

34. NOTICES TO MEMBERS:

- [1] Except for the requirement in rule 12, any notice that is required to be given to a member, on behalf of the Club, under these rules may be given by-
 - (a) delivering the notice to the member personally; or
 - (b) sending it by prepaid post addressed to the member at that member's address shown in the register of members; or
 - (c) facsimile transmission, if the member has requested that the notice be given to him or her in this manner; or
 - (d) electronic transmission, if the member has requested that the notice be given to him or her in this manner.

35. ALTERATION OF THE RULES:

- [1] These Rules and the statement of purposes of the Association must not be altered except in accordance with the Act.
- [2] The provision for trading and winding up cannot be altered without consent from the Minister.

36. TRADING:

- [1] The association is authorised to trade under Section 51 of the Association Incorporations Act 1981.

37. WINDING UP OR CANCELLATION:

In the event of the winding up or the cancellation of the incorporation of the Club, there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed among the members of the association but shall be given or transferred to some other charitable association or associations having objects similar to the objects of the association which shall prohibit the distribution of its assets and income to its members.

38. CUSTODY OF RECORDS:

- [1] Except as otherwise provided in these Rules, the Secretary/Treasurer shall keep in his/her custody or under his/her control, all books, documents and securities of the Club.
- [2] Information relating to accounts, books, securities and other relevant documentation of the Club will be made available to members upon written request to the Board.

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Appendix 1

PROXY FORM

I.....
of.....
being a member of Nunawading Swimming Club Incorporated
hereby appointof
being a member of Nunawading Swimming Club Incorporated, as my proxy to vote on my
behalf at the general meeting of the Club (Annual General meeting or Special General meeting,
as the case may be) to be held on theday of20..... and at
any adjournment of that meeting.

My proxy is authorised to vote (**delete as appropriate**):

(in favour of / against) / (in accordance with Executive Majority on) / (with the Chairman on)

the resolution/s (**Insert details**)
.....
.....
.....

Signed.....

Theday of20.....

Appendix 2

Election of Board Members

Nominations are now called for the following Elected Officers.

MEMBERS OF THE BOARD OF MANAGEMENT

President

2 X Vice Presidents

Secretary

Treasurer

NOMINATION FORM

I..... nominate..... for the position

of.....

Signed.....

Seconded by.....

I.....agree to nomination for the position of.....

Signed.....