

PUTTY COMMUNITY ASSOCIATION INCORPORATED

STATEMENT OF OBJECTS

1. The name of the Association shall be the Putty Community Association Incorporated.

2. The objects of the Association shall be:
 - (a) to provide for the social, religious and public needs of the residents of Putty (whether or not members of this association), and
 - (b) to promote and foster community spirit and friendship within the district, and
 - (c) to provide a place of meeting at the Putty Community Hall of a suitable standard to achieve these objectives, and
 - (d) to ensure that the Putty Hall is managed at all times in a manner consistent with the provisions of the trust under which the Putty Hall is held, subject to the Rules of the Association.

PUTTY COMMUNITY ASSOCIATION INCORPORATED – RULES

PART 1 - PRELIMINARY

1. Definitions

(a) In these rules:

Director General means the Director General of the Department of Fair Trading.

special general meeting means a general meeting of the Association other than an annual general meeting.

the Act means the *Associations Incorporation Act, 1984*.

the Regulation means the *Associations Incorporation Regulation, 1999*.

the Association means the Putty Community Association Incorporated.

financial member means a member of the Association who, at a particular date or during a particular period has satisfied all of his or her financial obligations to the Association.

(b) In these rules:

- (i) a reference to a function includes a reference to a power, authority and duty, and
- (ii) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(c) The provisions of the *Interpretation Act, 1987* 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.

PART 2 – MEMBERSHIP

2. Preliminary

All persons who were members of the Putty Community Association immediately before the date of incorporation of the Association shall upon incorporation be members of the Association.

3. Eligibility to Apply

Any person who is a resident and/or landholder in the Putty district or any other person who has a substantial connection with the Putty community shall be eligible to apply for membership of the Association.

4. Membership

The members of the Association shall comprise:

- (a) the persons referred to in clause 2, and
- (b) any natural person:
 - (i) who has applied for membership of the Association as provided by rule 5, and
 - (ii) who has been approved for membership of the Association by the committee of the Association.

5. Application for Membership

- (a) An application for membership of the Association:
 - (i) shall be made in writing on the form prescribed in Appendix 1 (or on any variation of this form which the committee may deem sufficient);
 - (ii) shall be lodged with the secretary or treasurer of the Association;
 - (iii) shall be accompanied by the entrance fee and annual subscription determined from time to time by the committee.
- (b) As soon as practicable after receiving an application for membership, the secretary or treasurer must refer the application to the committee which is to determine, whether to approve or to reject the application at the next committee meeting (subject to the proviso that approval for the application may not be unreasonably withheld from a qualified applicant). If the application for membership is approved, the applicant becomes a member of the Association immediately upon that approval.

- (c) As soon as practicable after the committee makes its determination, the secretary or treasurer must:
 - (i) notify the applicant that the committee has approved or rejected the application (whichever is applicable), and
 - (ii) if the committee rejected the application, refund in full, any sum paid under these rules as entrance fee and annual subscription.
- (d) The secretary must within a period of seven days, after approval of an application for membership, enter the applicant's name in the register of members.

6. Cessation of Membership

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

- (a) dies, or
- (b) resigns membership, or
- (c) fails to pay the full amount of annual subscription within a period of four months of it falling due, or
- (d) is expelled from the Association.

7. Membership Entitlements Not Transferable

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

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

8. Resignation of Membership

- (a) A member of the Association is not entitled to resign that membership except in accordance with this rule.
- (b) A member of the Association who has paid all amounts payable by the member to the Association in respect of the members' membership may resign from membership of the Association by first giving to the secretary written notice of at least one month of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (c) If a member of the Association ceases to be a member under clause (b), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

9. Register of Members

- (a) The public officer/secretary of the Association must establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association together with the date on which the person became a member.
- (b) Subject to any applicable legislation in force from time to time relating to privacy of information, the register of members shall be open for inspection at any reasonable hour, free of charge and upon reasonable notice being given to the secretary by any member.

10. Fees and Subscriptions

- (a) A member of the Association must pay to the Association an annual membership fee in an amount determined from time to time by the committee:
 - (i) except as provided by paragraph (ii) before 1st February in each calendar year, or
 - (ii) if the member becomes a member on or after 1st February in any calendar year – on becoming a member,

PROVIDED THAT an amount paid by a member to the Association as a hiring fee for the use of the Putty Hall in any year shall be credited against that member's membership fee for the following year.

- (b) Under these rules, the financial year of the Association shall commence on 1 January each year and conclude on 31 December of the same year.

11. Members' Liabilities

The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by rule 10.

12. Resolution of Internal Disputes

- (a) Disputes between members (in their capacity as members) of the Association, and disputes between members and the Association, are to

be referred to a community justice center for mediation in accordance with the *Community Justice Centres Act 1983*.

- (b) At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

13. Disciplining of Members

- (a) A complaint may be made to the committee by any member that a member of the Association:
- (i) has persistently refused or neglected to comply with a provision or provisions of these rules, or
 - (ii) has persistently and willfully acted in a manner prejudicial to the interests of the Association.
- (b) On receiving such a complaint, the committee:
- (i) must cause notice of the complaint to be served on the member concerned, and
 - (ii) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
 - (iii) must take into consideration any submissions made by the member within that period of 14 days in connection with the complaint.
- (c) The committee may, by resolution, expel the member from the Association or suspend the member from membership of the Association if, after considering the complaint and any submissions made in accordance with paragraph (b)(ii) above, it is satisfied that the facts alleged in the complaint have been proved and that one of the breaches referred to in clause (a) has been committed.
- (d) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the members' right of appeal under rule 14.
- (e) The expulsion or suspension does not take effect:
- (i) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - (ii) if within that period the member exercises the right of appeal, unless and until the Association confirms the resolution under rule 14(e),
- whichever is the later.

14. Right of Appeal of Disciplined Member

- (a) A member may appeal to the Association in general meeting against a resolution of the committee under rule 13, within 7 days after the notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (b) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (c) On receipt of a notice from a member under clause (a), the secretary must notify the committee which is to convene a general meeting of the Association to be held within 28 days after the date on which the secretary received the notice.
- (d) At a general meeting of the Association convened under clause (c):
 - (i) no business other than the question of the appeal is to be transacted, and
 - (ii) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and call any witnesses in support of their case, and
 - (iii) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (e) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

PART 3 – THE COMMITTEE

15. Powers of the Committee

The managing committee is to be called the committee and, subject to the Act, the Regulation and these rules and to any resolution passed by the Association in general meeting:

- (a) is to control and manage the affairs of the Association, and
- (b) may exercise all such functions as may be exercised by the Association, other than those functions that are required by these rules to be exercised by a general meeting of members of the Association, and

- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Association.

16. Constitution and Membership

- (a) The committee shall consist of the office bearers of the Association, each of whom is to be elected at the annual general meeting of the Association under rule 17.
- (b) The office bearers of the committee shall be:
 - (i) the president,
 - (ii) the vice-president,
 - (iii) the treasurer,
 - (iv) the secretary,
 - (v) the assistant secretary,
 - (vi) the publicity officer,
 - (vii) the trust officer.
- (c) Each member of the committee is, subject to these rules, to hold office until the conclusion of the election for office bearers at the annual general meeting following the date of the members' election, but is eligible for re-election subject to clauses (d) and (e).
- (d) Subject to the exercise by the Association in general meeting of the power of appointment conferred by clause 21, in the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Association to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the election for office bearers at the annual general meeting next following the date of the appointment.
- (e) The person from time to time holding the office of secretary shall also be, by virtue of his or her election or appointment as secretary, and for so long as he or she holds the office of secretary, the public officer of the Association. If the public officer of the Association ceases to hold that position for any reason, the office of secretary shall also be deemed to be vacant.

17. Election of Members

- (a) A member may nominate or be nominated for election as an office bearer of the Association if, and only if, the nominee is and has been a financial member of the Association for a minimum period of twelve months prior to the election in which he/she is standing.

- (b) All incumbent office bearers of the committee shall give notice to the secretary of the Association of their intention to re-nominate for office or stand down from office at the subsequent annual general meeting, at least one month before the holding of that annual general meeting, and the intention so notified shall be stated by the secretary in the notice for the annual general meeting.
- (c) Any member of the Association may request information as to the incumbent committee's intentions during the one-month period referred to in clause (b), as well as information pertaining to any other nominations for election as an office bearer that have been received.
- (d) Nominations of candidates for election as office bearers of the Association:
 - (i) will open one month prior to the annual general meeting of the Association,
 - (ii) must be made in writing and accompanied by the written consent of the candidate if it is not a self-nomination (such consent may be given on the form of the nomination),
 - (iii) must specify the particular office (or offices) for which the candidate is nominating, and
 - (iv) must be delivered to the Secretary of the Association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (e) If there are no nominations received for any particular position on the committee, further nominations are to be received at the annual general meeting.
- (f) If no further nominations are received, any position left vacant on the committee is taken to be a casual vacancy.
- (g) If a single nomination is received for any particular position on the committee, the person nominated is taken to be elected to that position.
- (h) If multiple nominations are received for any particular position on the committee, a ballot is to be held at the annual general meeting.
- (i) Any ballot for the election of office bearers to the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (j) The election of office bearers shall proceed in the sequence set out in clause 16(b). Unless there are no other nominations for the position, a person's nomination for a position will be void (and the person shall not be eligible for election to a position) if 2 members of that person's family have in the same election already been elected (or are deemed to have been elected) to other offices. For the purposes of this sub-clause, a person's family shall be taken to comprise the person's parents, siblings, children (in each case natural or adoptive) and the person's present spouse or partner.

18. Secretary

- (a) It is the duty of the secretary, as public officer, to give to and lodge with the Director General the notice and statement required by sections 25 and 27 of the Act, and to take any other steps required of the public officer by law.
- (b) It is the duty of the secretary to keep minutes of:
 - (i) all appointments of office bearers and members of the committee,
 - (ii) the names of members of the committee present at a committee meeting or a general meeting, and
 - (i) all proceedings at committee meetings and general meetings.
- (c) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

19. Treasurer

It is the duty of the treasurer of the Association to ensure:

- (a) that all money due to the Association is collected and received and that all payments authorised by the committee on behalf of the Association, subject to rule 38(d), are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the Association, including full details of all receipts and expenditure connected with the activities of the Association.

19A. Trust Officer

It is the duty of the trust officer of the Association to have regard to the consistency of any act or omission of the Association, or of anyone acting or omitting to act on its behalf, with the provisions of the trust under which the Putty Hall is held, and to draw the attention of the committee to any perceived inconsistency between any such act or omission and any of those provisions.

20. Resigning Office and Casual Vacancies

- (a) A committee member may resign from office by first giving to the secretary written notice of at least one month of the office bearer's

intention to resign and, on the expiration of the period of notice, the office bearer ceases to hold office.

- (b) For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member:
 - (i) dies, or
 - (ii) ceases to be a member of the Association, or
 - (iii) becomes an insolvent under administration within the meaning of the Corporations Law, or
 - (iv) resigns office in accordance with rule 20(a), or
 - (v) is removed from office under rule 21, or
 - (vi) becomes a mentally incapacitated person, or
 - (vii) is absent without the consent of the committee from all meetings of the committee held during a period of six months.

21. Removal of a Member

- (a) The Association in general meeting may by resolution remove any member of the committee from the office held by the member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (b) If a member of the committee to whom a proposed resolution referred to in clause (a) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representation be notified to the members of the Association, the secretary or the president may send a copy of the representations to each member of the Association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

22. Meetings and Quorum

- (a) The committee must meet at least 4 times during a financial year of the Association at such place and time as the committee may determine.
- (b) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (c) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.

- (d) Notice of a meeting given under clause (c) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (e) Any 3 members of the committee constitute a quorum for the transaction of business of a meeting of the committee.
- (f) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to such a place and time as the committee may determine.
- (g) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (h) At a meeting of the committee:
 - (i) the president, or in the presidents' absence, the vice-president is to preside, or
 - (ii) if the president and vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

23. Delegation by Committee to Sub-committee

- (a) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Association as the committee thinks fit) the exercise of such functions of the committee as are specified in the instrument, other than:
 - (i) this power of delegation, and
 - (ii) a function, which is a duty, imposed on the committee by the Act or by any other law.
- (b) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (b) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (c) Despite any delegation under this rule, the committee may continue to exercise any function delegated.
- (d) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- (e) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.

- (f) A sub-committee may meet and adjourn as it thinks proper.

24. Voting and Decisions

- (a) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (b) Each member present at the meeting of the committee or any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (c) Subject to rule 22(e), the committee may act despite any vacancy on the committee.
- (d) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

PART 4 – GENERAL MEETINGS

25. Annual General Meetings – Holding of

The Association shall hold an annual general meeting each calendar year as near as possible to within the first two weeks of the month of February and in any event prior to the last day in February.

26. Annual General Meetings - Calling of Business at

- (a) In addition to any other business which may be transacted at an annual general meeting, the business of the annual general meeting is to include the following:

- (i) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (ii) to receive from the committee reports on the activities of the Association during the last preceding financial year,
 - (iii) to elect office bearers of the Association,
 - (iv) to receive and consider the statement which is required to be submitted to members under section 26(6) of the Act.
- (b) An annual general meeting must be specified as such in the notice convening it.

27. Special General Meetings – Calling of

- (a) The committee may, whenever it thinks fit, convene a special meeting of the Association.
- (b) The committee must, on the written requisition of at least 5 members or 5 per cent of members, whichever is the greater, convene a special general meeting of the Association.
- (c) A written requisition of members for a special general meeting:
 - (i) must state the purpose or purposes of the meeting, and
 - (ii) must be signed by the members making the requisition, and
 - (iii) must be lodged with the secretary, and
 - (iv) may consist of several documents in a similar form, each signed by one or more of the members making the requisition
- (d) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (e) A special general meeting convened by a member or members referred to in clause (d) must be convened as nearly as practicable in the same manner as general meetings are convened by the committee.

28. Notice of General Meeting

- (a) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

- (b) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause (a), the intention to propose the resolution as a special resolution.
- (c) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under rule 26(a).
- (d) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary prior to the holding of that meeting. The secretary must include that business in the next notice calling a general meeting given after receipt of the notice from the member, provided that such notice is received by the secretary 35 days prior to the date proposed for the holding of that meeting.

29. Procedure

- (a) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (b) The number of members present in person (being members entitled under these rules to vote at a general meeting) that shall constitute a quorum for the transaction of the business at a general meeting is a number (rounded upwards as necessary to the next full number) comprising 10 per cent of the total number of members of the Association, or 9, whichever is the greater.
- (c) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (i) if convened on the requisition of members, is to be dissolved, and
 - (ii) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

30. Presiding Member

- (a) The president or, in the absence of the president, the vice-president, is to preside as chairperson at each general meeting of the Association.
- (b) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

31. Adjournment

- (a) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (b) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (c) Except as provided in clauses (a) and (b), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

32. Making of Decisions

- (a) A question arising at a general meeting of the Association is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (b) At a general meeting of the Association, a poll may be demanded by the chairperson or by at least 3 members present in person or by proxy at the meeting.
- (c) If a poll is demanded at a general meeting, the poll must be taken:
 - (i) immediately in the case of a poll which relates to the election of a chairperson of the meeting or to the question of an adjournment, or
 - (ii) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs,

and the resolution of the poll on the matter is taken to be the resolution of the meeting on the matter.

33. Special Resolutions

A resolution of the Association is a special resolution:

- (a) if it is passed by a majority which comprises at least three quarters of such members of the Association as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which at least 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or
- (b) where it is made to appear to the Director-General that it is not practicable for the resolution to be passed in the manner specified in clause (a), if the resolution is passed in a manner specified by the Director-General.

34. Voting

- (a) On any question arising at a general meeting of the Association a member has one vote only.
- (b) All votes must be given personally or by proxy but no member may hold more than 2 proxies.
- (c) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (d) A member or proxy is not entitled to vote at any general meeting of the Association unless all money due and payable by the member or proxy to the Association has been paid, other than the amount of the annual subscription payable in respect of the then current year.
- (e) Subject to rule 33 and to the provisions of the Act relating to questions which must be determined by a special resolution, and subject to rule 34(c) relating to the casting vote of the chairperson, a resolution proposed at a general meeting shall be taken to have been passed if, when the resolution is put to the vote (whether upon a poll or otherwise), votes are cast in favour of the resolution by more than one half of such members of the Association as, being entitled under these rules so to do, vote on that resolution in person or by proxy.
- (f) Proxy votes must be cast only in the event of a poll.

35. Appointment of Proxies

- (a) Each member is to be entitled to appoint another member as 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.
- (b) The notice appointing the proxy is to be in the form set out in appendix 2 to these rules (or on any variation of this form which the committee may deem sufficient).
- (c) Proxy votes can only be tendered by members who have been members of the Association for six (6) months or more, prior to the meeting at which those proxies are to be tendered.

PART 5 – MISCELLANEOUS

36. Insurance

The committee shall effect and maintain in the name of the Association such insurance and in such amount as is from time to time required by the Act or any Regulation under the Act, and may effect and maintain in the name of the Association any insurance which the committee may determine is desirable in the interests of the Association, including, without limiting the generality, public liability insurance.

37. Funds – Source

- (a) The funds of the Association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.
- (b) All money received by the Association must be deposited as soon as practicable and without deduction to the credit of the Associations' bank or credit union account.
- (c) The Association must, as soon as practicable after receiving any money, issue an appropriate receipt.

38. Funds and Assets – Management

- (a) Subject to any resolution passed by the Association in general meeting, and subject to these rules, the funds of the Association are to be used in pursuance of the objects of the Association in such manner as the committee determines.
- (b) The Association is a non-profit organisation and may not utilize any funds for the purpose of paying dividends, or distributing profits or income, to its members.
- (c) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 of the president, secretary and treasurer.
- (d) The committee shall not expend, nor shall it permit the expenditure of, nor shall it commit the Association to the expenditure of, more than \$1000, or such other amount as the members of the Association may from time to time determine by special resolution (“the Maximum Amount”) out of the funds of the Association, on the acquisition of any item or service, or any set of items or services, or any set of items and services, unless the Association in general meeting has first approved that acquisition and the expenditure of a specified sum of money upon it. Any member of the committee who participates in such expenditure without such approval shall be liable to refund to the Association any such expenditure in excess of the Maximum Amount.
- (e) Neither the committee nor any member of the committee shall have the power to, nor shall purport to:
 - (i) sell, transfer, mortgage, encumber, lease or confer on any other person possession of any property of the Association having a value in excess of the Maximum Amount;
 - (ii) authorise any person on behalf of the Association or the committee to do any of the things referred to in (i);
 - (iii) agree to do any of the things referred to in (i) or (ii);unless the Association by special resolution has first approved the doing of that thing.

39. Alteration of Objects and Rules

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the Association.

40. Common Seal

- (a) The common seal of the Association must be kept in the custody of the public officer.
- (b) The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures of 2 members of the committee.

41. Custody of Books

Except as otherwise provided in these rules, the public officer/secretary must keep in his/her custody or under his/her control all records, books and other documents relating to the Association.

42. Inspection of Books

Subject to any applicable legislation in force from time to time relating to privacy of information, the records, books and other documents of the Association must be open to inspection, free of charge, by any financial member of the Association at any reasonable hour, within a reasonable time of a request for inspection being made.

43. Service of Notices

- (a) For the purposes of these rules, a notice may be served on or given to a person:
 - (i) by delivering it to the person personally, or
 - (ii) by sending it by pre-paid post to the address of the person, or
 - (iii) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving of notice.
- (b) For the purposes of these rules, a notice is taken, unless the contrary is proved, to have been given or served:
 - (i) in the case of a notice given or served personally, on the date on which it is received by the addressee, and

- (ii) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- (iii) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

44. Use of the Hall

The Association must make the Putty Hall available for use by any resident of Putty (whether or not a member of the Association), subject to:

- (a) reasonable availability of the Putty Hall;
- (b) reasonable conditions of hire (which shall not discriminate between members of the Association and non-members);
- (c) either the proposed use of the hall falling within the scope of the Association's insurance, or the applicant for use arranging insurance to the reasonable satisfaction of the Committee;
- (d) any other condition or limitation the Committee considers should reasonably be imposed, subject to any such condition or limitation not being inconsistent with the terms of the trust under which the Putty Hall is held.

45. Effect of winding up on Putty Hall Land

For the avoidance of doubt, in the event of the winding up of the Association, the land on which the Putty Hall is constructed is not available for distribution, and shall remain subject to the following terms of trust: "upon trust for the use of the residents of Putty for Public Religious and Social gatherings and for such other purposes as the said residents may from time to time determine". In that circumstance, it will be open to the Court or the Attorney General to appoint a replacement trustee.

AMENDMENTS

17 (a)	21 st November 2005	
34 (f)	21 st November 2005	
34 (b)	30 th March 2006	
35 (c)	12 th February, 2011	
38 (d)	12 th February, 2011	
Statement of Objects of the Association 2(a)		21 st December 2011
Statement of Objects of the Association 2(d)		21 st December 2011
5(b)	21 st December 2011	
10(a)	21 st December 2011	
10(b)	21 st December 2011	
16(b)	21 st December 2011	
17(j)	21 st December 2011	
19A	21 st December 2011	
44	21 st December 2011	
45	21 st December 2011	

APPENDIX 1

Rule 5(a)(i)

**APPLICATION FOR MEMBERSHIP OF THE PUTTY COMMUNITY
ASSOCIATION INCORPORATED**

I, _____
(full name of applicant)

of _____
(address)

Ph: _____ Fax: _____

Email: _____,

hereby apply to become a member of the Putty Community Association Incorporated. In the event of my admission as a member, I agree to be bound by the rules of the Association for the time being in force. The address, facsimile number (if any) or email address (if any) set above may be used for the purpose of giving to me or serving on me any notice or other document relating to the affairs of the Association.

Signature of Applicant

Date

APPENDIX 2

Rule 35(b)

FORM OF APPOINTMENT OF PROXY

I, _____
(full name)

of _____
(address)

being a member of The Putty Community Association Incorporated hereby appoint

(full name of proxy)

of _____
(address)

being a member of The Putty Community Association Incorporated, as my proxy to vote for me on my behalf at the general meeting of the Association [annual general meeting or special general meeting as the case may be] to be held on the _____ day of _____ and at any adjournment of that meeting.
(month and year)

My proxy is authorised to vote as follows:

(Tick appropriate box) in such manner as he/she thinks fit

in accordance with the following instructions:

(Here set out _____
any particular _____
instructions) _____

(Delete if inapplicable) and otherwise as he/she thinks fit.

(Signature of member appointing proxy)

(Date)

